

WORKING DRAFT

HOUSE BILL NO. _____

Autopsy records.

Sponsored by: Joint Corporations, Elections and Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to public records; providing that autopsy
2 records shall not be released without court order; making
3 conforming amendments; and providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 16-4-203(d)(i) and by creating a new
8 paragraph (xiv), and 27-14-509 are amended to read:

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10 **16-4-203. Right of inspection; grounds for denial;**
11 **access of news media; order permitting or restricting**
12 **disclosure; exceptions.**

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14 (d) The custodian shall deny the right of inspection
15 of the following records, unless otherwise provided by law:

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(i) Medical, psychological and sociological data on individual persons; ~~exclusive of coroners' autopsy reports;~~

(xiv) Any autopsy records, documents, evidence or pictures, including instant photographs and videotapes of the body, or any portion of the body, of a deceased person, taken by or for a coroner at the scene of death or in the course of a postmortem examination or autopsy made by or caused to be made by the coroner, except:

(A) When used in a criminal action or proceeding in this state which relates to the death of that person;

(B) For use as a court of this state permits, by order after good cause has been shown and after written notification of the request for the court order has been served at least five (5) days before the order is made upon the coroner for the county in which the postmortem examination or autopsy occurred;

1 (C) For use by any law enforcement agency
2 in this state or any other state or federal law enforcement
3 agency; or

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5 (D) For use by an insurance provider during
6 the pendency of a claim concerning the deceased person.

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8 **27-14-509. Autopsy may be required; procedure.**

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10 Upon the filing of a claim for compensation for death
11 for which an autopsy is necessary to accurately and
12 scientifically ascertain and determine the cause of death,
13 a hearing examiner may order an autopsy. The hearing
14 examiner may designate a licensed physician who is a
15 specialist in autopsies to perform or attend the autopsy
16 and to certify his findings. The autopsy findings ~~are a~~
17 ~~public record~~ shall be available to the hearing examiner
18 and parties in interest, shall be filed with the division
19 and shall be subject to W.S. 16-4-203(d)(xiv). The hearing
20 examiner may exercise the authority on his own motion or on
21 an application made to him at any time by any party in
22 interest upon the presentation of facts showing that a
23 controversy may exist in regard to the cause of death or
24 the existence of any compensable injury. All proceedings

1 for compensation shall be suspended upon refusal of a
2 claimant or his representative to permit an autopsy when
3 ordered and no compensation shall be payable during the
4 continuance of the refusal.

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6 **Section 2.** This act is effective July 1, 2006.

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(END)