

SENATE FILE NO. SF0043

Organ donation-training and timely postmortem examinations.

Sponsored by: Joint Labor, Health & Social Services Interim
Committee

A BILL

for

1 AN ACT relating to anatomical gifts; requiring training on
2 the Revised Uniform Anatomical Gift Act for coroners and
3 district attorneys; specifying that autopsies or postmortem
4 examinations shall comply with Revised Uniform Anatomical
5 Gift Act requirements; and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 7-4-103(a) by creating a new
10 paragraph (iii), 7-4-201(b)(iii), 7-4-209 by creating a new
11 subsection (d), 7-4-211(c)(iii), 9-1-702(g), 9-1-804 by
12 creating a new subsection (d), 35-1-418(c), 35-5-221(b) and
13 35-5-222(f) are amended to read:

14

1 **7-4-103. Certification requirements; penalty;**
2 **expenses.**

3
4 (a) After January 5, 1987, no person shall continue
5 in office as county coroner or deputy coroner unless he has
6 been certified under W.S. 9-1-634 as having completed:

7
8 (iii) Not less than four (4) hours of training
9 on the Revised Uniform Anatomical Gift Act, W.S. 35-5-201
10 through 35-5-225. Training shall be obtained from a Wyoming
11 organ procurement organization proficient in the
12 requirements of organ donation.

13
14 **7-4-201. Reports of death; investigation; summoning**
15 **of jurors; fees and costs; inspection of medical records.**

16
17 (b) When the coroner is notified that the dead body
18 of any person has been found within the limits of the
19 county or that the death resulted from injury sustained
20 within the county and he suspects that the death is a
21 coroner's case, he shall conduct an investigation which may
22 include:

1 (iii) An autopsy pursuant to W.S. 7-4-209 if the
2 physician appointed to assist the coroner under this
3 subsection determines an autopsy is necessary;

4
5 **7-4-209. Postmortem examination; compliance with**
6 **Revised Uniform Anatomical Gift Act; liability limitation.**

7
8 (d) Any autopsy or postmortem examination shall
9 comply with the requirements of the Revised Uniform
10 Anatomical Gift Act, W.S. 35-5-201 through 35-5-225. No
11 district attorney or coroner shall order or allow an
12 autopsy or postmortem examination except in a manner
13 compatible with anatomical gift preservation pursuant to
14 W.S. 35-5-221 and 35-5-222.

15
16 **7-4-211. Board of coroner standards.**

17
18 (c) The board shall:

19
20 (iii) Promulgate educational and training
21 requirements for coroner basic and continuing education
22 requirements and review those requirements annually.

1 Requirements shall include training pursuant to W.S.
2 7-4-103(a)(iii);

3
4 **9-1-702. Created; membership; removal; compensation;**
5 **meetings; publication of procedures; standards for**
6 **certified training; powers and duties.**

7
8 (g) The commission shall cooperate with the board of
9 coroner standards to establish course requirements and
10 continuing education requirements for coroner training.
11 Requirements shall include training pursuant to W.S.
12 7-4-103(a)(iii).

13
14 **9-1-804. Duties and powers generally; employment of**
15 **deputy and assistant district attorneys and other necessary**
16 **personnel.**

17
18 (d) Each district attorney shall complete and certify
19 that each deputy, assistant and part-time district attorney
20 completes not less than four (4) hours of training on the
21 Revised Uniform Anatomical Gift Act, W.S. 35-5-201 through
22 35-5-225. Training shall be obtained from a Wyoming organ

1 procurement organization proficient in the requirements of
2 organ donation.

3
4 **35-1-418. Death registration.**

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6 (c) The medical certification shall be completed and
7 signed within a reasonable time after death by the primary
8 health care provider in charge of the patient's care for
9 the illness or condition which resulted in death, except
10 when inquiry is required by the postmortem examination. If
11 the death occurred without medical attendance or if the
12 primary health care provider last in attendance refuses or
13 for any reason fails to sign the certificate immediately,
14 the funeral director or person acting as funeral director
15 shall notify the appropriate local registrar. In that event
16 the local registrar shall inform the local health officer
17 and refer the case to him for immediate investigation and
18 certification of cause of death prior to issuing a permit
19 for burial, cremation or other disposition of the body. If
20 the circumstances of the case suggest that the death was
21 caused by other than natural causes, the local registrar
22 shall refer the case to the coroner for investigation and
23 certification. The coroner shall examine the body and

1 consider the history of the case, and obtain the assistance
2 and advice of a competent physician who will assist the
3 coroner in determining the cause of death by examination of
4 the body, autopsy, inquest or other procedure determined
5 necessary and in a manner compatible with anatomical gift
6 preservation according to W.S. 35-5-221 and 35-5-222. The
7 nonmedical coroner shall not diagnose the cause of death
8 without the assistance and advice of a competent physician,
9 advanced practice registered nurse or physician assistant.
10 The coroner or local health officer shall complete and sign
11 the medical certification within a reasonable time after
12 taking charge of the case.

13

14 **35-5-221. Cooperation between coroner and procurement**
15 **organization.**

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17 (b) If a coroner receives notice from a procurement
18 organization that an anatomical gift might be available or
19 was made with respect to a decedent whose body is under the
20 jurisdiction of the coroner and a post-mortem examination
21 is going to be performed pursuant to W.S. 7-4-209, unless
22 the coroner denies recovery in accordance with
23 W.S. 35-5-222, the coroner or designee shall conduct a

1 post-mortem examination of the body or the part in a manner
2 and within a period compatible with its preservation for
3 the purposes of the gift.

4
5 **35-5-222. Facilitation of anatomical gift from**
6 **decedent whose body is under jurisdiction of coroner.**

7
8 (f) The coroner and procurement organization shall
9 enter into an agreement establishing protocols and
10 procedures governing relations between them when the
11 coroner believes that the recovery of a part for anatomical
12 gift from a decedent whose body is under the jurisdiction
13 of the coroner could interfere with the post-mortem
14 investigation ~~into the decedent's cause or manner of death~~
15 conducted pursuant to W.S. 7-4-209 or the documentation or
16 preservation of evidence. Decisions regarding the recovery
17 of a part from the decedent shall be made in accordance
18 with the agreement.

19
20 **Section 2.** This act is effective July 1, 2018.

21
22 (END)