



# Faribault County Sheriff's Office

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## 1800 MEDICAL EXAMINER POLICY

Issued Date:	01/1998
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Approved By:	Mike Gormley, Sheriff; Scott Adams, Chief Deputy

### PURPOSE:

In 1989 the office Faribault County Medical Examiner was established to replace the office of County Coroner.

Current law outlining the duties of Medical Examiner are given in Minnesota State Statute 390.

The purpose as stated MINN STAT 390.31.1 is to *“provide a simplified system for the investigation of the death of any person when the county attorney determines that an investigation is necessary and provide for professional assistance to those making the investigation. It is declared to be in the public interest for medical doctors to conduct the medical investigations deemed necessary under the supervision of the county attorney and, if a trial is deemed necessary, that it be held in a court of record.”*

### PROCEDURE:

#### **Cases Which Must Be Reported To The Medical Examiner And County Attorney (MN §390.32):**

The following deaths shall be reported to and investigated by the Sheriff or his deputies who shall in turn report all such deaths to the Medical Examiner and the County Attorney:

- 1) violent deaths, whether apparently homicidal, suicidal, or accidental, including but not limited to deaths due to thermal, chemical, electrical, or radiational injury, and deaths due to criminal abortion, whether apparently self induced or not;
- 2) deaths under unusual or mysterious circumstances;
- 3) deaths of persons whose bodies are to be cremated, dissected, buried at sea, or otherwise disposed of so that the bodies will later be unavailable for examination; and
- 4) deaths of inmates of public institutions who are not hospitalized for organic disease and whose deaths are not of any type referred to in clause 1) or 2).
- 5) Deaths that occur during, in association with, or as the result of diagnostic therapeutic, or anesthetic procedures;
- 6) Deaths due to neglect;
- 7) Sudden death of person not disabled by recognizable disease or who was not being seen by or treated by physician for underlying disease which may have caused death;
- 8) Stillbirths of 20 weeks or longer gestation unattended by physician;
- 9) Suspected sudden infant death syndrome;
- 10) Suspected or known death due to AIDS;
- 11) Any other death in which there is doubt as to whether it is a medical examiner's case should be reported and discussed with the medical examiner.

#### **Investigation Procedures**

- 1) When a death which falls into any of the above categories occurs, the peace officer, physician, mortician, or other individual connected with the case should report it promptly to the Faribault County Sheriff's Office

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- a. A reportable death occurring at designated healthcare facilities within Faribault County can be directly discussed with the Medical Examiner who may or may not notify the Sheriff or County Attorney depending on the possible existence of criminal circumstances.
  - b. Upon notification of such a death, the Sheriff or his designee shall proceed to the body and take charge of same.
- 2) When reporting a case, please have the following information available if possible: name, age, address, sex, race, marital status, next of kin, summary of history, physical finds, physician and any other pertinent data.
- 3) The Sheriff or his designee may elect to call the Medical Examiner to the scene if in his judgment this may be helpful in the investigation of the death. Otherwise, the Sheriff shall discuss the case with the Medical Examiner at the Medical Examiner's Office to determine if additional medical investigation is necessary.
- 4) In cases that are applicable to the medical examiner, he shall find the cause of death, sign and file a death certificate.
- 5) In cases where the County Attorney may elect to conduct an inquest, the County Attorney shall promptly notify the Probate Judge of the need for an inquest and make all arrangements for it. At the inquest, the Probate Judge shall preside and the County Attorney shall conduct the inquest on behalf of the state. Upon conclusion of the inquest, the Probate Judge shall find the cause of death and sign and file a death certificate.
- 6) In a timely fashion, the Sheriff or his designee shall deliver a signed copy of his report of investigation to the County Attorney and the Medical Examiner. With this report and review the medical history with attending physicians and family, the medical examiner may elect to sign death certificate, with or without additional medical investigation. If necessary toxicological tests and autopsies will be conducted to clarify and determine the cause of death.
- 7) Although all cases described above must be reported, the Medical Examiner reserves the right to accept or decline jurisdiction. When jurisdiction in a specific case is declined, the attending physician signs the death certificate, and the disposition of the body is the responsibility of the next of kin.
- 8) Do not remove clothing or effects, handle the body, alter the scene (including moving of weapons or items on or near the body), or perform a postmortem examination except by specific authorization of the medical examiner or his investigators.
- 9) The Medical Examiner's Office should be contacted prior to harvesting any organs or tissues from the Medical Examiner's cases. The Medical Examiner's Office will provide information and assist interested persons so as to facilitate these anatomical gift donations.
- 10) Next of kin should be directed to contact the Sheriff or his designee for information as to the circumstances of death, cause of death, and concerns about the person's effects. The Sheriff may refer the family to the Medical Examiner. In many instances, the Medical Examiner will be contacting the family for information which may be helpful in the case. The next of kin should

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be informed that final disposition of the body is their responsibility and that they should contact a funeral home of their choice. The Sheriff's or his designee's Office is responsible for affecting the removal of unclaimed bodies.

- 11) When the deceased is to be cremated and has not been autopsied, the funeral director is responsible for presenting a signed death certificate to the Medical Examiner prior to the cremation of the body. Verbal approval may be obtained from the Medical Examiner in certain situations.

### **Information And Services**

- 1) Information concerning the cause of death may be obtained from the Sheriff's Office. A copy of the Medical Examiner's Autopsy Report will be sent to the Sheriff and County Attorney. Any other person or agency must have authorization from the next of kin to obtain a copy of the autopsy and/or Medical Examiner's Report.
- 2) The Sheriff's Office or Medical Examiner's Office will be responsible for notifying the decedent's next of kin.

### **Helpful Notes And Suggestions**

- 1) The Sheriff and/or his deputies are the first line investigators for the Medical Examiner. They will be taking the initial calls and may be the only officials on the scene. They will do the background report.
- 2) Deaths should fit somewhere into one of the following three categories:
  - a. Death does not fit criteria to report to Medical Examiner; family is referred to funeral home. Death certificate signed by attending physician.
  - b. Death appears to fit criteria; report made to Medical Examiner. Medical Examiner does not accept jurisdiction of case. Family is referred to funeral home. Death certificate signed by attending physician.
  - c. Death fits criteria and report is made to Medical Examiner. Medical Examiner decides fate of body and may or may not visit scene.
    - i. Body examined by Medical Examiner at scene or hospital. Medical Examiner may wish to draw body specimens for toxicology examination. Medical Examiner may then release it to funeral home with or without permission to do drainage. Medical Examiner signs death certificate.
    - ii. Body examined by Medical Examiner and after reviewing case with Sheriff's Reports and conferring with County Attorney may decide to send body to appropriate medical lab for autopsy. Death certificate signed by Medical Examiner after securing results of autopsy.
    - iii. Copies of "Faribault County Medical Examiner and Sheriff's Death Investigative Report" shall be filled out and retained with copies being forwarded to appropriate offices. It is the Sheriff's duty to insure this is done.
    - iv. When sending bodies to the Medical Examiner, be certain they are tagged or somehow identifiable.
    - v. In cases of fatal accidents it is normally not necessary to involve the Medical Examiner until you send the body from the scene to his office/emergency room.