

Senate Bill 110

By: Senators Thompson of the 33rd and Tanksley of the 32nd

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

To amend Code Section 45-16-27 of the Official Code of Georgia Annotated, relating to coroner inquests, so as to provide for subpoenas by medical examiners from the office of chief medical examiner and for confidentiality and costs; to include certain medical records; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 45-16-27 of the Official Code of Georgia Annotated, relating to coroner inquests, is amended by striking subsection (c) and inserting in its place the following:

"(c) When a coroner or a medical examiner or a medical examiner from the office of chief medical examiner, as established in Code Section 35-3-153, conducts an investigation into the death of an individual, the coroner, ~~or medical examiner,~~ or medical examiner from the office of chief medical examiner shall be authorized to issue subpoenas to compel the production of any books, records, including but not limited to medical records from hospitals, medical clinics, psychiatric hospitals, physicians' offices, chiropractors' offices, and any other health care delivery facility, or papers relevant to the cause of death including without limitation AIDS confidential information as defined by Code Section 31-22-9.1. Any books, records, or papers received by the coroner, ~~or medical examiner,~~ or medical examiner from the office of chief medical examiner pursuant to the subpoena must be regarded as confidential information and privileged and not subject to disclosure under Article 4 of Chapter 18 of Title 50. The actual costs of copying any books, records, or papers for the purposes of responding to a subpoena under this subsection shall be paid out of county funds to the person or entity required to respond to that subpoena, and the governing authority of the county of which that coroner or county medical examiner is a public officer shall pay those costs within 30 days after a bill therefor is submitted to the county. A medical examiner from the office of chief medical examiner shall pay the costs of copying from state funds within 30 days after a bill therefor is submitted to the state."

- 1 **SECTION 2.**
- 2 All laws and parts of laws in conflict with this Act are repealed.