

House Bill 357

By: Representative Howard of the 98<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to coroners, so as to add a certain definition; to require notice of certain deaths; to provide for penalties for failure to provide such notice; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to coroners, is amended by inserting in Code Section 45-16-21, relating to definitions, a new paragraph (1.2) to immediately follow paragraph (1.1) to read as follows:

"(1.2) 'Compensated care' means services provided by a private home care provider as defined in paragraph (5) of Code Section 31-7-300; a home health care agency as defined in paragraph (2) of Code Section 31-7-150; any community living arrangements as defined in paragraph (16) of subsection (b) of Code Section 37-1-20; or a long-term care facility as defined in Code Section 31-8-51."

**SECTION 2.**

Said chapter is further amended by striking subsection (a) of Code Section 45-16-24, relating to notification of suspicious or unusual deaths, and inserting in lieu thereof a new subsection (a) to read as follows:

"(a) When any person dies in any county in this state:

(1) As a result of violence;

(2) By suicide or casualty;

(3) Suddenly when in apparent good health;

(4) When unattended by a physician;

(5) In any suspicious or unusual manner, with particular attention to those persons 16 years of age and under;

1 (6) After birth but before seven years of age if the death is unexpected or unexplained;  
2 (7) As a result of an execution carried out pursuant to the imposition of the death penalty  
3 under Article 2 of Chapter 10 of Title 17;

4 (8) When an inmate of a state hospital or a state, county, or city penal institution; ~~or~~

5 (9) After having been admitted to a hospital in an unconscious state and without  
6 regaining consciousness within 24 hours of admission; or

7 (10) While receiving compensated care or within 30 days of having received such care,  
8 whether attended by a physician or not,

9 it shall be the duty of any law enforcement officer or other person having knowledge of  
10 such death to notify immediately the coroner or county medical examiner of the county  
11 wherein the body is found or death occurs. For the purposes of this Code section, no person  
12 shall be deemed to have died unattended when the death occurred while the person was a  
13 patient of a hospice licensed under Article 9 of Chapter 7 of Title 31. In addition to any  
14 other penalties that may be levied, failure to comply with the provisions of this Code  
15 section by any facility or entity licensed by the Department of Human Resources, or by any  
16 person enumerated in Code Section 30-5-4 who is licensed by the State of Georgia shall  
17 be in violation of the applicable licensing requirements."

### 18 SECTION 3.

19 This Act shall become effective on July 1, 2003.

### 20 SECTION 4.

21 All laws and parts of laws in conflict with this Act are repealed.