

Senate Bill 285

By: Senator Hamrick of the 30th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated,
2 relating to death investigations, so as to require notification of a coroner upon the death of
3 a person receiving compensated care; to provide for a definition of 'compensated care'; to
4 provide for violation of licensing requirements for failure to comply with notification
5 requirements; to provide for related matters; to provide for an effective date; to repeal
6 conflicting laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Article 2 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to
10 death investigations, is amended by adding a new paragraph to Code Section 45-16-21,
11 relating to definitions, to read as follows:

12 "(1.2) 'Compensated care' means services provided by a private home care provider, as
13 defined in paragraph (4) of Code Section 31-7-300; a home health agency, as defined in
14 paragraph (2) of Code Section 31-7-150; a community living arrangement, as defined in
15 paragraph (16) of subsection (b) of Code Section 37-1-20; or a long-term care facility, as
16 defined in paragraph (2) of Code Section 31-8-51."

17 **SECTION 2.**

18 Said article is further amended by striking paragraphs (8) and (9) of subsection (a) of Code
19 Section 45-16-24, relating to notification of suspicious or unusual deaths, court ordered
20 medical examiner's inquiry, and written report of inquiry, and inserting in their respective
21 places the following:

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

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

1 (10) While receiving compensated care or within 30 days of having received such care,
2 whether attended by a physician or not, and notwithstanding any other provision of law
3 which authorizes, but does not require, the coroner or county medical examiner to
4 conduct an investigation,

5 it shall be the duty of any law enforcement officer or other person having knowledge of
6 such death to notify immediately the coroner or county medical examiner of the county
7 wherein the body is found or death occurs. For the purposes of this Code section, no person
8 shall be deemed to have died unattended when the death occurred while the person was a
9 patient of a hospice licensed under Article 9 of Chapter 7 of Title 31. In addition to any
10 other penalties that may be imposed, failure to comply with the provisions of this Code
11 section by any facility or entity licensed by the Department of Human Resources or by any
12 person listed in subparagraph (a)(1)(A) of Code Section 30-5-4 who is licensed by this state
13 shall be considered to be a violation of such facility's, entity's or person's applicable
14 licensing requirements."

15 **SECTION 3.**

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

17 **SECTION 4.**

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