

HB 795 -- AUTOPSIES

SPONSOR: Mackey

This bill specifies that, if a coroner or medical examiner, or a specified employee thereof, retains an organ or tissue after an autopsy for further examination or testing, the coroner or medical examiner shall contact the deceased's family and tell them about the retaining of organs or tissue and what will be done with them once the testing is complete.

Any person who assists with an autopsy and who is not a licensed physician shall register with the Division of Professional Registration within the Department of Commerce and Insurance. The registration shall be renewed every two years.

The Division may refuse to issue the registration or refuse to renew or reinstate the registration for the following reasons:

- (1) The person has been found guilty, entered a plea of guilty or nolo contendere to a criminal charge in any state related to the duties and responsibilities of the occupation;
- (2) Use of fraud, deception, misrepresentation, or bribery to obtain the registration;
- (3) Obtaining or attempting to obtain any fee, charge, tuition, or other compensation by fraud, deception, or misrepresentation;
- (4) Demonstrating incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in assisting with an autopsy;
- (5) Violating or assisting any person in the violation of any lawful rule or regulation adopted by the Division;
- (6) Impersonating any person holding a registration or allowing any other person to use his or her registration or diploma from any school;
- (7) Administrative disciplinary action against the holder of the registration by any other state, territory, federal agency, or country upon grounds for which revocation or suspension is authorized in this state;
- (8) The person is found to be insane or incompetent by a court;
- (9) Issuance of the registration was based upon a misstatement of the application for the registration; or

(10) Use of any advertisement or solicitation that is false, misleading, or deceptive.

The Division may file a complaint with the Administrative Hearing Commission (AHC) against the person's registration for any of the reasons listed above. If the AHC agrees with the findings, the Division shall censor the person's registration for up to five years, suspend the person's registration for up to three years, or revoke the person's registration.

Any person in violation of the requirements of registration after August 28, 2025 shall be guilty of a class A misdemeanor.

This bill is similar to HB 1949 (2022).