

Memo

To: All Providers

From: Gwen Winston
Statewide Quality Assurance Chief

Date: February 6, 2003

Re: Reporting All Deaths in State Funded/Operated Facilities

This memo summarizes the January 4, 1999 memo circulated by John E. Smialek, MD, Chief Medical Examiner outlining the requirement of reporting deaths in State-funded or State-operated facilities. In his memo, Dr. Smialek states that “ALL deaths of residents in these facilities are to be reported to the Office of the Chief Medical Examiner immediately”. It is imperative that notification to the Medical Examiner be made immediately after death to provide the Examiner’s Office with time to determine the need for autopsy. For additional information on this requirement, please refer to COMAR 10.35.01.18 which is attached.

If you should have any questions about the above information, please do not hesitate to contact me at 410-767-5630 or the Medical Examiner’s Office at 410-333-3225. The Medical Examiner’s Office can be reached 24 hours per day. Thank you for your continued cooperation in this reporting requirement.

cc: **Diane Coughlin, Director/DDA**
William Dorrill, Deputy Director/OHCQ
David Fowler, MD/Chief Medical Examiner
Regional Directors

COMAR 10.35.01.18 Deaths in a State-Funded or State Operated Facility.

- A. Death in a State-funded or State-operated facility which constitutes a medical examiner's case, as defined in Health-General Article, §5-309, Annotated Code of Maryland, shall be investigated by the Office of the Chief Medical Examiner.
- B. Notification and Investigation. The sheriff, police, or chief law enforcement officer, in the jurisdiction where a death occurs, shall notify the medical examiner whenever a death that constitutes a medical examiner's case occurs in a State-funded or State-operated facility. If the death may have occurred by violence, by suicide, by casualty, suddenly when the person was in apparently good health, not attended by a physician, or in any suspicious or unusual manner, the medical examiner or investigator shall:
 - (1) Respond directly to the administrative head of the facility;
 - (2) Conduct an investigation;
 - (3) Complete the investigation report; and
 - (4) Arrange to have the body sent to the Office of the Chief Medical Examiner for an autopsy, if necessary.
- C. Completion of Investigation Report.
 - (1) A medical examiner or investigator shall document in an investigation report all of the information regarding the death that was:
 - (a) Gathered in the course of the investigation; and
 - (b) Provided by the administrative head of the facility to the sheriff, police, chief law enforcement official, or health officer in the jurisdiction where the death occurred.
 - (2) A medical examiner or investigator shall append to an investigation report the written report of the death that the administrative head of the facility provided to the sheriff, police, chief law enforcement official, or health officer in the jurisdiction where the death occurred.
 - (3) Required Contents of Report. The report of the administrative head of a facility where the death occurred shall contain all the information set out in Health-General Article, § 10-714, Annotated Code of Maryland. The report:
 - (a) May be oral, if followed by a written report within 5 working days from the date of the death, or written; and
 - (b) Shall contain the following relevant information:
 - (i) The name, age, and sex of the deceased,
 - (ii) The time of discovery of the death,
 - (iii) The deceased's place of residence at the time of death,
 - (iv) If the death occurred in a place other than the residence of the deceased, the location of the body at the time of discovery,
 - (v) The place where the body was found,
 - (vi) The name of the person who took custody of the body,
 - (vii) The name of the person evaluating the death, if known,
 - (viii) Whether an autopsy is being performed, if known,
 - (ix) The name, address, and telephone number of the next of kin or legal guardian, if known, and
 - (x) Other information the administrative head of the facility determines should be provided to the medical examiner.
 - (4) The report of the investigation by the Office of the Chief Medical Examiner constitutes an individual file of the Chief Medical Examiner not subject to disclosure under State Government Article, § 10-611 et seq., Annotated Code of Maryland