

## CORONERS AND MEDICAL EXAMINERS

Minnesota Statutes 2004, section 390.005, is amended to read:

### **390.005 ELECTION OR APPOINTMENT, ELIGIBILITY; VACANCIES; REMOVAL.**

Subdivision 1. **Selection of coroner or medical examiner.** Each county must have a coroner or medical examiner. A coroner may be elected, as prescribed by section 382.01, or appointed in each county. A medical examiner must be appointed by the county board. The term of an appointed coroner or medical examiner must not be longer than four years.

Subd. 2. **Appointment by resolution.** The board of county commissioners may, by resolution, state its intention to fill the office of coroner by appointment. The resolution must be adopted at least six months before the end of the term of the incumbent coroner, if elected. After the resolution is adopted, the board shall fill the office by appointing a person not less than 30 days before the end of the incumbent's term. The appointed coroner shall serve for a term of office determined by the board beginning upon the expiration of the term of the incumbent. The term must not be longer than four years. If there is a vacancy in the elected office, the board may by resolution, state its intention to fill the office by appointment. When the resolution is adopted, the board shall fill the office by appointment immediately. The coroner shall serve for a term determined by the board. The term must not be longer than four years.

### Subd. 3. **Qualifications.**

(a) The medical examiner must be a forensic pathologist who is certified or eligible for certification by the American Board of Pathology. The medical examiner is an appointed public official in a system of death investigation in which the administrative control, the determination of the extent of the examination, need for autopsy, and the filing of the cause and manner of death information with the state registrar pursuant to section 144.221 are all under the control of the medical examiner.

(b) The coroner must be a physician with a valid license in good standing under chapter 147, to practice medicine as defined under section 147.081, subdivision 3. The coroner is a public official, elected or appointed, whose duty is to make inquiry into deaths in certain categories, determine the cause and manner of death, and file the information with the state registrar pursuant to section 144.221. The coroner must obtain additional training in medicolegal death investigation, such as training by the American Board of Medicolegal Death Investigators, within four years of taking office, unless the coroner has already obtained this training.

(c) The coroner or medical examiner need not be a resident of the county.

Subd. 4. **Certain incumbents.** An incumbent coroner or medical examiner in office on the effective date of this section is hereby deemed to meet the qualifications prescribed by this section for the purpose of continuance in the office of coroner until the end of the current term of office, after which this statute will apply.

Subd. 5. **Vacancies, removal.** Vacancies in the office of coroner or medical examiner shall be filled according to sections 375.08 and 382.02, or under subdivision 1. The medical examiner or appointed

coroner may be removed by the county board during a term of office for cause shown after a hearing upon due notice of written charges. The hearing shall be conducted in accordance with that county's human resources policy.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

**390.0065 HENNEPIN COUNTY MEDICAL EXAMINER; SELECTION AND TERM.**

Hennepin County shall use the following procedure to select the Hennepin County medical examiner: the Hennepin County Board shall designate three licensed physicians who shall constitute a Medical Examiner Board. One member shall be a dean or professor of the Department of Pathology of a Class A medical school as designated by the American Medical Association. Another member of the board shall be a member of the Minnesota Society of Pathologists. The third member shall be designated by the Hennepin County Medical Association from its membership. The Medical Examiner Board shall accept applications for the position of Hennepin County medical examiner when a vacancy exists in the office. Applications therefore shall be considered from doctors of medicine who are: (1) graduates of a medical school recognized by the American Medical Association or American Osteopathic Association, (2) members in good standing in the medical profession, (3) eligible for appointment to the staff of the Hennepin County Medical Center, and (4) certified or eligible for certification in forensic pathology by the American Board of Pathology. The Medical Examiner Board shall review the qualifications of the applicants and shall rank the applicants deemed qualified for the position and provide to the county board a report of the seven highest ranked applicants together with their qualifications. The county board shall appoint a county medical examiner from those listed in the report. The term of the examiner shall continue for four years from the date of appointment. Reappointment shall be made at least 90 days prior to the expiration of the term. If a vacancy requires a temporary appointment, the board of commissioners shall appoint a medical doctor on the staff of the county medical examiner's office to assume the duties of the medical examiner until an appointment can be made in compliance with the specified selection procedure. Actual and necessary expenses of the Medical Examiner Board shall be paid in accordance with sections 471.38 to 471.415.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

Minnesota Statutes 2004, section 390.01, is amended to read:

**390.01 BOND AND INDEMNIFICATION.** The coroner or medical examiner shall be included in the bond held by the county for all appointed and elected county officials and shall be defended and indemnified, pursuant to section 466.07. The oath of office shall be recorded and filed with the county recorder.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

**390.011 AUTONOMY.** The coroner or medical examiner is an independent official of the county, subject only to appointment, removal, and budgeting by the county board.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

**390.012 JURISDICTION.** The coroner or medical examiner of the county in which a person dies or is pronounced dead shall have jurisdiction over the death, regardless of where any injury that resulted in the death occurred. The place where death is pronounced is deemed to be the place where death occurred. If the place of death is unknown but the dead body is found in Minnesota, the place where the body is found is considered the place of death. If the date of death is unknown, the date the body is found is considered the date of death, but only for purposes of this chapter. When a death occurs in a moving conveyance and the body is first removed in Minnesota, documentation of death must be filed in Minnesota and the place of death is considered the place where the body is first removed from the conveyance.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

Minnesota Statutes 2004, section 390.04, is amended to read:

**390.04 PROVISION FOR TRANSFER OF JURISDICTION.** When the coroner or medical examiner, because of partiality, prejudice, consanguinity, or interest, is not able to perform the coroner or medical examiner's duties, the coroner or medical examiner shall have the authority to transfer jurisdiction to another coroner or medical examiner, as arranged by the county board.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

Minnesota Statutes 2005 Supplement, section 390.05, is amended to read:

**390.05 MEDICAL EXAMINER OR CORONER STAFF.** The coroner or medical examiner may appoint one or more assistant coroners or assistant medical examiners, as necessary to fulfill the duties of the office, subject to authorization by the county board. Such assistants shall have the same qualifications as a coroner or medical examiner. When the coroner or medical examiner is absent or unable to act, assistants shall have the same powers and duties and are subject to the same limitations as the coroner or medical examiner. The assistants shall be appointed in writing, shall take an oath that shall be recorded and filed with the county recorder, and shall be included in the county bond. The assistant shall act by name as assistant coroner or medical examiner and hold office at the pleasure of the coroner or medical examiner. A coroner or medical examiner may appoint one or more investigators, with such qualifications as the coroner or medical examiner deems appropriate. Such investigators shall have the powers and duties that are delegated to them by the coroner or medical examiner. Unless they are public employees of that county, investigators shall be appointed in writing and take an oath, shall be included in the county bond, and the oath and appointment shall be recorded and filed with the county recorder.

Subject to authorization of the county board, assistants may be appointed to the unclassified service and investigators to the classified service of the county.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

**390.061 MORGUE.** Every county need not have a morgue, but there must be a system or process for receiving, storing, and releasing all dead bodies subject to this statute.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

Minnesota Statutes 2004, section 390.11, is amended to read:

**390.11 INVESTIGATIONS.**

Subdivision 1. **Reports of death.** All sudden or unexpected deaths all deaths that may be due entirely or in part to any factor other than natural disease processes must be promptly reported to the coroner or medical examiner for evaluation. Sufficient information must be provided to the coroner or medical examiner. Reportable deaths include, but are not limited to:

- (1) unnatural deaths, including violent deaths arising from homicide, suicide, or accident;
- (2) deaths due to a fire or associated with burns or chemical, electrical, or radiation injury;
- (3) unexplained or unexpected perinatal and postpartum maternal deaths;
- (4) deaths under suspicious, unusual, or unexpected circumstances;
- (5) deaths of persons whose bodies are to be cremated or otherwise disposed of so that the bodies will later be unavailable for examination;
- (6) deaths of inmates of public institutions and persons in custody of law enforcement officers who have not been hospitalized primarily for organic disease;
- (7) deaths that occur during, in association with, or as the result of diagnostic, therapeutic, or anesthetic procedures;
- (8) deaths due to culpable neglect;
- (9) stillbirths of 20 weeks or longer gestation unattended by a physician;
- (10) sudden deaths of persons not affected by recognizable disease;
- (11) unexpected deaths of persons notwithstanding a history of underlying disease;
- (12) deaths in which a fracture of a major bone such as a femur, humerus, or tibia has occurred within the past six months;
- (13) deaths unattended by a physician occurring outside of a licensed health care facility or licensed residential hospice program;
- (14) deaths of persons not seen by their physician within 120 days of demise;
- (15) deaths of persons occurring in an emergency department;
- (16) stillbirths or deaths of newborn infants in which there has been maternal use of or exposure to unprescribed controlled substances including street drugs or in which there is history or evidence of maternal trauma;

- (17) unexpected deaths of children;
- (18) solid organ donors;
- (19) unidentified bodies;
- (20) skeletonized remains;
- (21) deaths occurring within 24 hours of arrival at a health care facility if death is unexpected;
- (22) deaths associated with the decedent's employment;
- (23) deaths of nonregistered hospice patients or patients in nonlicensed hospice programs; and
- (24) deaths attributable to acts of terrorism.

The coroner or medical examiner shall determine the extent of the coroner's or medical examiner's investigation, including whether additional investigation is needed by the coroner or medical examiner, jurisdiction is assumed, or an autopsy will be performed, notwithstanding any other statute.

Subd. 1a. **Commissioner of corrections; investigation of deaths.** For deaths occurring within a facility licensed by the Department of Corrections, the coroner or medical examiner shall ensure that a forensic pathologist who is certified by the American Board of Pathology reviews each death and performs an autopsy on all unnatural, unattended, or unexpected deaths and others as necessary.

Subd. 1b. **Hospice registration.** Each coroner and medical examiner shall establish a registration policy regarding hospice patients. If a hospice patient is determined to be properly preregistered, the coroner or medical examiner may treat the death as attended by a physician.

Subd. 2. **Autopsies.** The coroner or medical examiner may order an autopsy, at the coroner or medical examiner's sole discretion, in the case of any human death referred to in subdivision 1, when, in the judgment of the coroner or medical examiner the public interest would be served by an autopsy. The autopsy shall be performed without unnecessary delay. A report of the facts developed by the autopsy and findings of the person performing the autopsy shall be made promptly and filed in the office of the coroner or medical examiner. When further investigation is deemed advisable, a copy of the report shall be delivered to the county attorney. Every autopsy performed pursuant to this subdivision shall, whenever practical, be performed in the county morgue. Nothing herein shall require the coroner or medical examiner to order an autopsy upon the body of a deceased person if the person died of known or ascertainable causes or had been under the care of a licensed physician immediately prior to death or if the coroner or medical examiner determines the autopsy to be unnecessary. Autopsies performed pursuant to this subdivision may include the removal, retention, testing, or use of organs, parts of organs, fluids or tissues, at the discretion of the coroner or medical examiner, when removal, retention, testing, or use may be useful in determining or confirming the cause of death, mechanism of death, manner of death, identification of the deceased, presence of disease or injury, or preservation of evidence. Such tissue retained by the coroner or medical examiner pursuant to this subdivision shall be disposed of in accordance with standard biohazardous hospital and/or surgical material and does not require specific consent or notification of the legal next of kin. When removal, retention, testing, and use of organs, parts of organs, fluids, or tissues is deemed beneficial, and is done only for research or the advancement of

medical knowledge and progress, written consent or documented oral consent shall be obtained from the legal next of kin, if any, of the deceased person prior to the removal, retention, testing, or use.

Subd. 2a. **Deaths caused by fire; autopsies.** The coroner or medical examiner shall conduct an autopsy or require that one be performed in the case of a death reported to the coroner or medical examiner by the state fire marshal or a chief officer under section 299F.04, subdivision 5, and apparently caused by fire, and in which the decedent is pronounced dead outside of a hospital or in which identification of the decedent has not been confirmed. If the decedent has died in a hospital and identification is not in question, an autopsy may be performed or ordered by the coroner or medical examiner.

Subd. 3. **Exhumation; disinterment.** The coroner or medical examiner may exhume any human body and perform an autopsy on it in the case of any human death referred to in subdivision 1 when the coroner or medical examiner judges that the public interest requires an autopsy. No exhumation shall be conducted unless the surviving legal next of kin consents to it, or the district court of the county where the body is located or buried orders it. Notice of such exhumation shall be given as directed by the district court. Application for an order may be made by the coroner, medical examiner, or county attorney of the county where the body is located or buried, and shall be granted upon a showing that the court deems appropriate.

Subd. 4. **Assistance of medical specialists.** If during an investigation the coroner or medical examiner believes the assistance of pathologists, toxicologists, laboratory technicians, or other medical, scientific, or forensic experts is necessary to determine or confirm the cause or manner of death, identification, time of death, or to address other issues requiring expert opinion, the coroner or medical examiner may obtain their assistance.

Subd. 5. **Inquest.** An inquest into a death may be held at the request of the medical examiner and the county attorney or the coroner and the county attorney. An inquest is optional and the coroner or medical examiner may investigate and certify a death without one. The coroner or medical examiner and county attorney may decide how to empanel the inquest. Inquest records will be made public, but the record and report of the inquest proceedings may not be used in evidence in any civil action arising out of the death for which an inquest was ordered. Whenever the decision is made to hold an inquest, the county attorney may issue subpoenas for witnesses and enforce their attendance. The persons served with subpoenas shall be allowed the same compensation and be subject to the same enforcement and penalties as provided by Rule 22 of the Minnesota Rules of Criminal Procedure.

Subd. 6. **Records kept by coroner or medical examiner.** The coroner or medical examiner shall keep full and complete records, properly indexed, giving the name, if known, of every person whose death is investigated, the place where the body was found, the date, cause, and manner of death, and all other available information concerning the death that the coroner or medical examiner considers pertinent. These records of the coroner or medical examiner are the property of the county and subject to chapter 13. These records shall be kept at the coroner's or medical examiner's office, unless no storage space is

available. They shall then be kept with official county records and only released in accordance with the Data Practices Act. Records shall be kept in accordance with section 15.17.

Subd. 7. **Duty to report.** Deaths of the types described in this section must be promptly reported for investigation to the coroner or medical examiner and, when appropriate, to the law enforcement agency with jurisdiction, by the law enforcement officer, attending physician, health care professional, mortician or funeral director, person in charge of the public institutions referred to in subdivision 1, or anyone who discovers a deceased person. In a case in which a crime may be involved, the coroner or medical examiner shall promptly notify the law enforcement agency with jurisdiction over a criminal investigation of the death.

Subd. 7a. **Records and other material available to coroner or medical examiner.** Except for health data defined in section 13.3805, subdivision 1, paragraph (a), clause (2), health-related records or data on a decedent whose death is being investigated under this section, shall be made promptly available to the coroner or medical examiner, upon the coroner's or medical examiner's written request, by any person, agency, entity, or organization having custody of, possession of, access to, or knowledge of the records or data. This provision includes records and data, whether recorded or unrecorded, including but not limited to, records and data, including medical imaging, concerning medical, surgical, psychiatric, psychological, chemical dependency, or any other consultation, diagnosis, or treatment. In cases involving a stillborn infant or the death of a fetus or infant less than one year of age, the prenatal records on the decedent's mother may also be subpoenaed by the coroner or medical examiner. The coroner or medical examiner shall pay the reasonable costs of copies of records or data so provided under this section. Data collected or created pursuant to this subdivision relating to any psychiatric, psychological, or mental health consultation with, diagnosis of, or treatment of the decedent whose death is being investigated shall remain confidential or protected nonpublic data, except that the coroner's or medical examiner's final summary report may contain a summary of, or references to, such data. Where records of a decedent become part of the medical examiner's or coroner's file, they are not subject to subpoena or a request for production directed to the medical examiner or coroner. Body fluids, slides, tissue, organ specimens, radiographs, monitor records, video or other recordings, and any other material or article of diagnostic value obtained from the decedent prior to death, shall be made available to the coroner or medical examiner upon request. Notwithstanding the provisions of sections 13.384 and 595.02, the coroner or medical examiner shall have the power to subpoena any and all documents, records, including medical records, and papers deemed useful in the investigation of a death.

Subd. 7b. **Records released by coroner or medical examiner.** Records and reports, including those of autopsies performed, generated, and certified by the coroner or medical examiner shall be admissible as evidence in any court or grand jury proceeding. The admissibility of such evidence under this subdivision shall not include statements made by witnesses or other persons unless otherwise admissible.

Subd. 8. **Investigation procedure; coroner or medical examiner in charge of body.** Upon notification of the death of any person as defined in this section, the coroner or medical examiner staff or their designee

may proceed to the body, take charge of it, and arrange for transfer of it, when appropriate. This provision also applies to bones, body parts, and specimens that may be human remains. Discovery of such bones, body parts, and specimens must be promptly reported to the coroner or medical examiner. When necessary, the coroner or medical examiner staff, in coordination with the applicable law enforcement agency, may order that there be no interference with or compromise of the body or the scene of death. In the event a person is transported to an emergency vehicle or facility and pronounced dead, the scene of death shall include the original location of the decedent when first discovered to be ill, unresponsive, or stricken prior to removal by emergency medical personnel. Any person violating such an order is guilty of a gross misdemeanor. The coroner or medical examiner staff shall make inquiry regarding the cause and manner of death and, in cases that fall under the medical examiner's or coroner's jurisdiction, prepare written findings together with the report of death and its circumstances, which shall be filed in the office of the coroner or medical examiner.

Subd. 9. **Criminal act report.** The coroner or medical examiner shall deliver to the county attorney copies of reports or other information created by the coroner's or medical examiner's office in any cases of a potential criminal nature.

Subd. 10. **Infant death.** If a child under the age of two years dies suddenly and unexpectedly, the parents or guardian of the child shall be promptly notified of the availability of counseling services.

Subd. 12. **Authorized removal of brain.** If the coroner or medical examiner is informed by a physician that a decedent is suspected of having had Alzheimer's disease, the coroner or medical examiner may authorize the removal of the brain for the purposes of sections 145.131 and 145.132.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

Minnesota Statutes 2004, section 390.111, is amended to read:

**390.111 EXPENSES AND COMPENSATION.** The county board is responsible for the reasonable and necessary compensation and expenses of the coroner or medical examiner, assistants, investigators, and other medical specialists.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

Minnesota Statutes 2004, section 390.15, is amended to read:

**390.15 FEES.** The coroner or medical examiner may charge a fee for cremation approval, duplication of reports, and other administrative functions to recover reasonable expenses, subject to county board approval.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

**390.151 ORGAN AND TISSUE DONATION.** The coroner or medical examiner may facilitate donation of organs and tissues in compliance with the Uniform Anatomical Gift Act, sections 525.921 to 525.9224.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

**390.152 CREMATION APPROVAL.** After investigating deaths of persons who are to be cremated, the coroner or medical examiner may give approval for cremation and shall record such approval by either signing a cremation authorization form, or electronically through the centralized electronic system for the processing of death records established by the state registrar. It shall be a misdemeanor to perform a cremation without such approval.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

Minnesota Statutes 2004, section 390.21, is amended to read:

**390.21 DISPOSITION; BURIAL.** After an investigation has been completed, including an autopsy if one is done, the body shall be released promptly to the person or persons who have the right to control the disposition of the body. Section 149A.80, subdivision 2, shall control. If the identity of the deceased person is unknown, or if the body is unclaimed, the medical examiner or coroner shall provide for dignified burial or storage of the remains. Dignified burial shall not include cremation, donation for anatomic dissection, burial at sea, or other disposition that will make the body later unavailable. The county where the dead body is found shall pay reasonable expenses of the burial. If an estate is opened within six years and claim made for the property or proceeds of the sale of the property of the decedent, the county shall be reimbursed the amount spent on burial, with interest at the statutory rate.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

Minnesota Statutes 2004, section 390.221, is amended to read:

**390.221 BODIES; EFFECTS; CUSTODY.** A person may not move, interfere with, or handle the body or the effects of a decedent subject to an investigation by the coroner or medical examiner except upon order of the coroner, medical examiner, assistant, or authorized investigator. The coroner or medical examiner shall take charge of the effects found on or near the body of a deceased person and dispose of them as directed under section 390.225. If a crime is suspected in connection with the death of a deceased person, the coroner or medical examiner may prevent any person, except law enforcement personnel, from entering the premises, rooms, or buildings, and shall have the custody of objects that the coroner or examiner deems material evidence in the case. The coroner or medical examiner shall release any property or articles needed for any criminal investigation to law enforcement officers conducting the investigation, except as noted in section 390.225, subdivision 2. A knowing violation of this section is a gross misdemeanor.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

**390.225 PROPERTY.**

Subdivision 1. **Procedure.** The coroner or medical examiner may take possession of all articles that may be useful in establishing the cause or manner of death, identification, or next of kin of the deceased, and, if taken, mark them for identification, make an inventory, and retain them securely until they are no longer

needed for evidence or investigation. Except as noted in subdivision 2, the coroner or medical examiner shall release any property or articles needed for any criminal investigation to law enforcement officers conducting the investigation.

Subd. 2. **Retention of property.** When a reasonable basis exists for not releasing property or articles to law enforcement officers, the coroner or medical examiner shall consult with the county attorney. If the county attorney determines that a reasonable basis exists for not releasing the property or articles, the coroner or medical examiner may retain them. The coroner or medical examiner shall obtain written confirmation of this opinion and keep a copy in the decedent's file.

Subd. 3. **Release of property.** With the exception of firearms, when property or articles are no longer needed for the investigation or as evidence, the coroner or medical examiner shall release such property or articles to the person or persons entitled to them. Personal property, including wearing apparel, may be released to the person entitled to control the disposition of the body of the decedent or to the personal representative of the decedent. Personal property not otherwise released pursuant to this subdivision must be disposed of pursuant to section 525.393.

Subd. 4. **Firearms.** The coroner or medical examiner shall release all firearms, when no longer needed, to the law enforcement agency handling the investigation.

Subd. 5. **Property of unknown decedents.** If the name of the decedent is not known, the coroner or medical examiner shall release such property to the county for disposal or sale. If the unknown decedent's identity is established and if a representative shall qualify within six years from the time of such sale, the county administrator, or a designee, shall pay the amount of the proceeds of the sale to the representative on behalf of the estate upon order of the court. If no order is made within six years, the proceeds of the sale shall become a part of the general revenue of the county.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

Minnesota Statutes 2004, section 390.23, is amended to read:

**390.23 DEATH RECORDS.** No person, other than the county coroner or medical examiner or, for deaths occurring within a facility licensed by the Department of Corrections, the forensic pathologist who reviewed the death, shall file or amend the cause or manner of death information with the state registrar in cases of likely or suspected accidental, suicidal, homicidal, violent, or mysterious deaths occurring in the county. The forensic pathologist who reviewed the death of an incarcerated person within a facility licensed by the Department of Corrections may file or amend the cause or manner of death information with the state registrar. If there is reasonable proof that a death has occurred, but no body has been found, a judge may direct the state registrar to register the death with the fact of death information provided by the court order according to section 144.221, subdivision 3.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

Minnesota Statutes 2004, section 390.25, is amended to read:

**390.25 UNIDENTIFIED DECEASED PERSONS.**

Subdivision 1. **Attempts to identify.** The coroner or medical examiner shall make reasonable attempts to identify the deceased person promptly. These actions may include obtaining: photographs of the body; fingerprints from the body, if possible; formal dental examination by a dentist with forensic training, with charting and radiographs; full body radiographs; specimens such as tissue, blood, bone, teeth, and/or hair, suitable for DNA analysis or other identification techniques; blood type; photographs of items such as clothing and property found on and with the body; and anthropological determination of age, race, sex, and stature, if appropriate. All of these actions shall be taken prior to the disposition of any unidentified deceased person.

Subd. 2. **Report to BCA.** After 60 days, the coroner or medical examiner shall provide to the Bureau of Criminal Apprehension missing persons clearinghouse information to be entered into federal and state databases that can aid in the identification, including the National Crime Information Center database. The coroner or medical examiner shall provide to the Bureau of Criminal Apprehension specimens suitable for DNA analysis. DNA profiles and information shall be entered by the Bureau of Criminal Apprehension into federal and state DNA databases within five business days after the completion of the DNA analysis and procedures necessary for the entry of the DNA profile.

Subd. 3. **Other efforts to identify.** Nothing in this section shall be interpreted to preclude any medical examiner or coroner from pursuing other efforts to identify unidentified deceased persons, including publicizing information, descriptions, or photographs that may aid in the identification, allowing family members to identify missing persons, and seeking to protect the dignity of the missing persons.

Subd. 4. **Preservation of data.** The coroner or medical examiner may preserve and retain photographs, specimens, documents, and other data such as dental records, radiographs, fingerprints, or DNA, for establishing or confirming the identification of bodies or for other forensic purposes deemed appropriate under the jurisdiction of the office. Upon request by an appropriate agency, or upon the coroner or medical examiner's own initiative, the coroner or medical examiner may make the information available to aid in the establishment of the identity of a deceased person.

Subd. 5. **Notice to state archaeologist.** After the coroner or medical examiner has completed the investigation, the coroner or medical examiner shall notify the state archaeologist, according to section 307.08, of all unidentified human remains found outside of platted, recorded, or identified cemeteries and in contexts which indicate antiquity of greater than 50 years.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

**390.251 REQUEST FOR EXAMINATIONS.** The coroner or medical examiner may, when requested, make physical examinations and tests incident to any matter of a criminal nature under consideration by the district court or county attorney, law enforcement agency, or publicly appointed criminal defense counsel, and shall deliver a copy of a report of such tests and examinations to the person making the

request. Such an examination does not establish a doctor-patient relationship. The person making the request shall pay the cost of such examinations and tests.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

**390.252 CONTRACTS FOR SERVICES.** A county board may contract to perform coroner or medical examiner services with other units of government or their agencies under a schedule of fees approved by that board.

**EFFECTIVE DATE.** This section is effective July 1, 2006.

**REPEALER.**

Minnesota Statutes 2004, sections 383A.36; 383B.225, subdivisions 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, and 13; 390.006; 390.06; 390.07; 390.16; 390.17; 390.19; 390.20; 390.24; and 390.36, and Minnesota Statutes 2005 Supplement, section 383B.225, subdivision 5, are repealed.

**EFFECTIVE DATE.** This section is effective July 1, 2006.