# COUNTY OF LOS ANGELES DEPARTMENT OF CORONER



# **FUNERAL DIRECTORS MANUAL**

**SEPTEMBER 2002** 

# DEPARTMENT OF CORONER

# FUNERAL DIRECTORS MANUAL

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#### I. INTRODUCTION

This procedure manual is designed to provide Los Angeles County Funeral Directors with necessary information concerning cases that come within the jurisdiction of the Department of Coroner. This information is a guide for Funeral Directors throughout the County of Los Angeles. It should facilitate processing of Coroner cases. This manual will be revised periodically as changes in policy and law occur.

The Department of Coroner is located at:

1104 North Mission Road Los Angeles, California 90033

The buildings are situated on the grounds of the Los Angeles County-University of Southern California Medical Center. Coroner's Investigators are on duty 24 hours a day, 7 days a week, 365 days a year. A Deputy Medical Examiner (Physician/Forensic Pathologist) is available for medical consultation as needed.

#### II. REPORTABLE DEATHS TO THE CORONER

California Health and Safety Code 102850 and Government Code Section 27491 require that certain deaths be immediately reported to the Coroner (see Attachments I and II).

#### A. <u>HEALTH AND SAFETY CODE SECTION 102850</u>

A physician and surgeon, physician assistant, funeral director, or other person shall immediately notify the coroner when he or she has knowledge of a death that occurred or has charge of a body in which death occurred under any of the following circumstances:

- 1. Without medical attendance.
- 2. During the continued absence of the attending physician and surgeon.
- 3. Where the attending physician and surgeon or the physician assistant is unable to state the cause of death.
- 4. Where suicide is suspected.
- 5. Following an injury or an accident.
- 6. Under circumstances as to afford a reasonable ground to suspect that the death was caused by the criminal act of another.

Any person who does not notify the coroner as required by this section is guilty of a misdemeanor.

#### B. GOVERNMENT CODE SECTION 27491

It shall be the duty of the Coroner to inquire into and determine the circumstances, manner and cause of death in the following instances:

1. All violent, sudden or unusual deaths.

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- Unattended deaths.
- 3. Deaths wherein the deceased had not been attended by a physician within 20 days prior to death.
- 4. Death related to or following known or suspected self-induced or criminal abortion.
- 5. Known or suspected homicide, suicide, or accidental poisoning.
- 6. Deaths known or suspected as resulting in whole or in part from or related to accident or INJURY either OLD or RECENT.
- 7. Death due to drowning, fire, hanging, gunshot, stabbing, cutting, exposure, starvation, acute alcoholism, drug addiction, strangulation, aspiration.
- 8. Where the suspected cause of death is Sudden Infant Death Syndrome (SIDS).
- 9. Death in whole or part occasioned by criminal means.
- 10. Deaths associated with known or alleged rape or crime against nature.
- 11. Deaths in prison or while under sentence.
- 12. Deaths of patients in state hospitals serving the mentally and developmentally disabled and operated by the State Department of Mental Health or Department of Developmental Services.
- 13. Deaths known to suspected as due to contagious disease and constituting a public hazard.
- 14. Deaths from occupational diseases or occupational hazards.
- 15. Deaths under such circumstances as to afford a reasonable ground to suspect that the death was caused by the criminal act of another, or any deaths reported by physicians or other persons having knowledge of death, for inquiry by the Coroner.

# ANY PERSON WHO DOES NOT NOTIFY THE CORONER AS REQUIRED BY THIS SECTION IS GUILTY OF A MISDEMEANOR.

Certain types of cases not listed in the State law but which often pose problems or are difficult to evaluate should be reported to the Coroner for a decision. These include, but are not limited to the following:

- Persons not medically attended by a physician 20 days prior the time of death.
- All deaths occurring in operating rooms during therapeutic or diagnostic procedures or within 24 hours of surgery, or as a result of complications of these procedures (e.g., wound infections) or when the patient has not regained consciousness from an anesthetic should be reported. These are not all Coroner's cases unless the death is known or suspected to be due to misadventure during the surgery, therapy, procedure or anesthesia. These cases are often difficult to evaluate and should be referred to the Coroner's office for a decision.
- All deaths in which the patient is comatose on arrival and remains so throughout his hospital care, unless the cause of the coma has been definitely established as due to a natural disease.
- All deaths involving fracture (except pathological) if the attending physician believes the fracture caused or contributed to the cause of death. If the fracture is to appear anywhere on the death certificate, the certificate must be certified by the Department of Coroner and not by the attending physician.
- All deaths in which an injury or an accident is the cause or a contributing cause regardless of how distant or remote in time or place the accident or injury may have occurred. This includes subdural hematomas regardless of the time interval between the injury and death (does not apply to war related injuries), para/quadriplegia etc.

All cases known or suspected as coming under the jurisdiction of the Coroner should be reported immediately by telephone at (323) 343-0711.

#### D. CLEARANCES

Section 27491 of the Government Code, provides that the Coroner shall have discretion to determine the extent of inquiry to be made into any death occurring under natural circumstances and falling within the provisions of law. If such inquiry determines that the physician of record has sufficient knowledge to reasonably state the cause of a death occurring under natural circumstances, the Coroner may authorize that physician to sign the death certificate. In all other instances, the Coroner or his appointed deputy shall personally sign the certificate of death. On deaths from natural causes (with the exception of certain Nursing Home Deaths) where the attending physician has not seen the decedent

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within 20 days prior to death, but has attended the deceased within 6 months of death, permission may be given to that physician to certify the cause of death, if the

following criteria are met:

- 1. The attending physician, his or her associate has a professional opinion as to the cause of death and is willing to so certify, and;
- The circumstances surrounding the death are known and there is no evidence of trauma, and;
- 3. A copy of the signed death certificate has been received by this office.

The Coroner's office will then inform the holder of the Death Certificate to place the word "yes" and a Coroner's Clearance Number in Space #108 to indicate this office has made such an inquiry and is granting permission for the attending physician to certify the cause of death.

#### E. NON-CORONER CASES

The decision as to whether a death is in fact a Coroner's case rests with the Coroner. If it is decided that the death is not a Coroner's case, it then becomes the responsibility of the attending physician to certify the death.

# F. NURSING HOME DEATHS

All funeral directors are reminded when a death occurs in an extended nursing home facility, board and care, group home or hospice and there is knowledge or suspicion of trauma, negligence, abuse, or poor care, the Coroner shall be notified immediately.

# G. GENERAL

At the removal of a deceased person from any death scene, whether it is a known Coroner's case or not, in which any of the circumstances enumerated in the State Code exist or are suspected, the Coroner shall be notified immediately. Failure to do so could result in criminal charges being filed or disciplinary action taken under applicable State laws.

#### H. UNIDENTIFIED REMAINS

Unidentified human remains with signed death certificates are reportable to the Coroner for the purposes of establishing identification.

#### III. OBJECTIONS TO AUTOPSIES

The Coroner is aware that there are certain religious customs concerning the prompt burial of a deceased person and will attempt, whenever possible, to assist the next-of-kin in meeting those obligations, as long as the duties and obligations of the Coroner can be carried out. All decedents are treated with dignity and respect while in the custody and care of the Department of Coroner.

In addition, in order to maintain community recognized professional standards in providing service to the public, the Coroner will monitor the removal of remains from its facility. It is expected that mortuaries and cremation disposal companies will have sufficient cots available to provide for each individual body.

#### Pursuant to Government Code 27491.43:

A person 18 years or older may execute a "Certificate of Religious Belief" prior to death. If before beginning the autopsy, the Coroner is informed by a relative or friend of the decedent that the decedent had executed a certificate of religious belief, the Coroner shall not perform the procedure for 48 hours. If the certificate is produced, the case shall be governed by this Government Code. (see Attachment III). However, the Coroner may at any time perform an autopsy or any other procedure if he or she has a reasonable suspicion that the death was caused by the criminal act of another or by a contagious disease which constitutes a public hazard.

If the next-of-kin requests that an autopsy not be performed, this information will be conveyed to the Operations Officer who will assign the case to a forensic pathologist for review. The next-of-kin should advise the Coroner's Investigator at the scene or contact this office immediately if a request of this nature is contemplated. If an autopsy is necessary, the pathologist will discuss this with the next of kin. The Coroner remains the sole determinant as to the need for and the extent of an autopsy.

In cases of sudden infant death syndrome Govt. Code 27491.41 shall be followed. (See attachment XII)

When the Coroner believes that an autopsy is necessary, but there is a continuing objection by the next of kin, the Coroner will give the person having the legal right to control the disposition of the remains, 48 hours in which they may attempt to secure a court order blocking the autopsy procedure. If such an order is obtained, the Coroner will certify the Death Certificate in accordance with the professional opinion of the Chief Medical Examiner/Coroner. If no order is issued, the procedure will be performed at the discretion of the Coroner.

#### IV. CASE PROCESSING

#### A. Autopsies

#### 1. DECISION TO AUTOPSY

It is impractical to perform autopsies on all Coroner cases in this County. However, all homicides and certain other cases are autopsied. The remainder of the cases may be autopsied for the purpose of determining cause and manner of death, or processed without an autopsy in some cases when the cause or manner of death are clear.

The decision to autopsy a Coroner's case is made by the Senior Deputy Medical Examiner, who is assigned as the Operations Officer for that day. Certain cases may receive immediate priority, such as homicides, as the cause of death may determine subsequent investigations and actions by law enforcement personnel.

#### 2. WITNESSING AUTOPSIES

The Department of Coroner may permit a private pathologist to be present at the autopsy if the family desires. Only the physician may observe the actual autopsy. Clergymen, attorneys, relatives and non-physicians will not be permitted in the autopsy room. Requests for a physician to be present at autopsy shall be in writing and addressed to the Chief Medical Examiner-Coroner.

#### 3. FAMILY REQUEST AUTOPSIES

Government Code Section 27520 allows the Coroner to perform, or cause to be performed, an autopsy on a decedent if so requested in writing by the following:

- Surviving spouse.
- If no surviving spouse, upon request of surviving child or parent.
- If no surviving child or parent, by the next-of-kin of deceased.

#### 4. COSTS

The cost of a family requested autopsy shall be borne by the person requesting the autopsy. Payment must be made before the Coroner will accept the remains of the decedent. The cost of the autopsy does not include exhumation costs (if any), or any additional charges of a private funeral home. In the event the autopsy results in a conclusion different from the original conclusion by the Department of Coroner concerning the cause, manner or circumstances of death, the autopsy cost may be refunded by the Department, on a case by case basis.

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# B. <u>CASE ORDERED INTO THE CORONER'S DEPARTMENT</u>

The following is a list of Coroner cases that shall be brought into the Coroner's

# Department for examination by a pathologist:

- Homicide
- Homicide/Suicide combination
- Sudden Infant Death Syndrome (SIDS) cases
- Drowning and Scuba Deaths
- Therapeutic Accidents
- Air Crashes
- Industrial Accidents, old or recent (including asbestosis)
- State Hospital Deaths
- Fire Victims
- Decomposed bodies where identification cannot be established visually.
- Skeletal Remains
- In-Custody Deaths/Officer Involved Deaths
- Gunshot Wounds, old or recent
- Disaster Victims
- Accidents from falls, traffic or head injuries.

# C. <u>EXAMINATION PROCEDURE FOR SIGN-OUTS (Inspection by Coroner's Investigator).</u>

# 1. CASE EVALUATION

Cases requiring an examination only and no autopsy shall be handled as follows:

- The case shall be evaluated by the Reporting Desk in conjunction with the Supervising Coroner's Investigator to determine whether or not it can be handled as a sign-out.
- The Coroner shall request the mortuary (selected by the family) to make removal of the decedent on the Coroner's behalf.
- A Coroner's Investigator may investigate the scene of death on a selected basis. The funeral director will be notified at the time the case is reported whether or not a Coroner's Investigator will respond to the scene.
- Cases which can be adequately documented as natural deaths may be cleared for certification at the mortuary by the investigative staff after consultation with medical staff.

# 2. <u>CERTIFICATION AT MORTUARY</u>

When the decedent is to be examined at a funeral home, the mortuary shall complete a Mortuary Death Report/Order for Release Form #5 (See Attachment VIII).

A Coroner's Investigator will be scheduled to examine the body, review the documents and issue the death certificate at the mortuary. A death certificate will not be issued until presentation of a signed and complete release executed by the legal next of kin.

NOTE: In cases where the disposition of the remains has been delegated to another person, the Coroner's Form #5 "Order for Release" must be notarized-with the signature of the legal next of kin and name the person authorized by the legal next of kin to handle disposition arrangements. The Coroner will accept a facsimile copy of the document to facilitate the release of the remains, however, the original document must be delivered to the Coroner. In the absence of the Coroner Form #5 "Order For Release", a standard format letter containing the same information and notarized will suffice.

NOTE: Routine drawing of a toxicology blood sample is no longer required on all cases, but may be requested on a specific case when applicable.

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IDENTIFICATION: All bodies examined by a coroner's investigator at a mortuary must have an identification band, toe tag or hospital I.D. band attached to the

body to confirm I.D.

#### 3. <u>CERTIFICATION AT THE SCENE</u>

#### a. Examination at the Scene:

When a physician is not available for consultation and when it is determined by the Coroner's Investigator that there is sufficient medical history, the circumstances of death are known, and external examination of the remains reveals no evidence other than a natural death, AND the death is not within the classification requiring certification at the Forensic Science Center, the Investigator will:

- Notify the designated mortuary to make removal and to comply with the written instructions issued by the Investigator.
- Complete all the necessary Coroner's forms which will be given to the Supervising Investigator.
- Notify the mortuary of the decision made by the Operations Officer and arrange to have the death certificate signed.

#### b. Certification

Coroner's Investigators may certify the cause of death at the scene of death when the following criteria are satisfied:

- The death is from causes not warranting an autopsy.
- The mortuary is designated, either by the decedent's family or through pre-arrangements.
- The duty doctor is available for consultation with the Coroner's Investigator.

#### D. CORONER'S TOE TAG

A toe tag must be filled out in ink and attached to the toe of the decedent in all instances when the decedent is brought into the Coroner's Department. The toe tag must contain all information requested. (See Attachment V).

- Cases of suspected, but not diagnosed contagious disease, such as meningitis, AIDS, and tuberculosis shall be referred to the Coroner for evaluation.
- 2. Notification of the Health Department Communicable Disease Control will be made by the Coroner following verification.
- 3. The following contagious diseases shall be, in all instances, Coroner's cases:

Botulism Food or Metal Poisoning Rabies Tetanus

4. Other contagious diseases which have been diagnosed and reported to the Health Department and no longer constitute a public health hazard do not need to be reported to the Coroner. This includes AIDS through lifestyle exposure and serum hepatitis.

NOTE: AIDS that is acquired by blood transfusion or I.V. drug abuse should be reported to the Coroner.

#### V. CLOTHING/PERSONAL PROPERTY

# A. <u>CLOTHING OF THE DECEASED</u>

Clothing of the decedent worn at the time of death is not considered personal property. Unless retained by this Department as evidence, the clothing is released with the remains to the mortuary selected by the next-of-kin. However, if they present a possible health and safety hazard, the Department may dispose of the clothes appropriately or as biohazard materials. Mortuaries will be asked to sign for release of clothing at the time of body release.

#### B. CLOTHING AS EVIDENCE

In homicides and certain other special processing cases where legal action may be possible, clothing of the decedent is held by this Department as evidence and will be released to the family only upon written authorization from the investigating law enforcement agency or by court order. The next-of-kin desiring the clothing worn by the decedent at the time of death must call the investigating law enforcement agency and make arrangements for the request to be issued. The Coroner's Office will notify the next-of-kin when the letter of authority to release the clothing has been received. It is rarely possible to effect the release of "clothing evidence" prior to burial.

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# C. PERSONAL PROPERTY OF THE DECEDENT

Personal effects of the decedent are released Monday thru Friday (with the

exception of holidays) from 8:00 am to 4:00 pm.

#### 1. RELEASE TO LEGAL NEXT-OF-KIN/CALIFORNIA RESIDENT

The effects are released to the legal next-of-kin provided the legal next-of-kin is a resident of the State of California AND the estate is not required to be probated. Release of property to other than the legal next-of-kin will only be made if the legal next-of-kin is a resident of California, the estate does not require probate proceedings, and the legal next-of-kin has executed a form pursuant to California probate Code 13101 of this state and designates the person to represent them on the form. The affidavit form pursuant to California Probate Code 13101 is usually available at mortuaries and at this office (see Attachment VIII - Order for Release).

#### 2. LEGAL NEXT-OF-KIN (Non-Resident of California):

When the next of kin is a non-resident of the State of California <u>or</u> when the next of kin is unknown, the case is reported to the Public Administrator. The personal effects are held by the Department of Coroner and may not be released until the Public Administrator determines that their office will not administer the estate. In certain cases the Public Administrator may administer the estate and request the personal effects be submitted to the Public Administrator.

#### 3. PROBATE CASES

Personal effects of a decedent whose estate requires probate proceedings will be released upon presentation of a certified copy of a letter of administration, letters testamentary or an order assigning the estate as to the survivor. The effects will only be released to the person named in the document or to an agent of that person who has written authority to act.

#### 4. PROPERTY RECEIPT

The Coroner or his representative shall take possession of all personal effects and valuables found upon or near bodies of deceased persons coming under the Coroner's jurisdiction and shall make a proper record of those personal effects before surrendering them to the legal next-of-kin. (see Attachment IV). The legal next-of-kin must correctly fill out a properly executed affidavit required under Probate Code 13101 before the personal effects can be released. (see Attachment VI, Form #7)

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#### 5. PERSONAL PROPERTY, DISPOSITION

In order to avoid confusion and misunderstanding, the family should be informed that personal effects cannot be claimed under the following circumstances:

- a. The next-of-kin lives out of state (unless a spouse).
- b. The next-of-kin is a minor child.
- c. The next-of-kin is mentally incompetent.
- d. The estate is going to be probated.
- e. The next-of-kin is in custody.
- f. The next-of-kin is more distant than a niece or nephew.

The family should not be informed that all they need to pick up the personal effects is a note or telegram from the next-of-kin.

The family should not be informed that all they need to do is come in to pick up the personal effects.

The Coroner's office requires a copy of the will (if there is one and there is to be no probate) along with a properly executed affidavit pursuant to Probate Code 13101 before any personal effects can be released by either this Department or any funeral director.

If there are questions or concerns or the family needs the keys to the residence, they should contact the Property Section of the Public Services Division, (323)343-0515 for further instructions.

#### VI. IDENTIFICATION OF DECEDENTS

#### A. IDENTIFICATION PROCEDURES

Since visual identification is generally a painful experience to the next-of-kin, and in most cases unnecessary, this practice is discouraged. There are no facilities at the Department of Coroner for viewing of decedents.

Any request for in person visual identification while the body is in the custody of the Coroner will be considered on a case by case basis by Coroner's personnel. It will be permitted only in cases where it is the <u>ONLY</u> procedure by which the identity of the decedent may be established and will be accomplished through the viewing of a photograph only.

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When the decedent has used more than one identity, the true (legal) name as given by identification databases should appear first (Block A of the Death Certificate), (see Attachment VII with amendment form VS 24B attached). It is the responsibility of the legal next-of-kin to file any amendments or name changes. The coroner cannot change a name of a decedent simply at the request of family members or

after presentation of a birth certificate.

When the deceased cannot be positively identified visually, fingerprints, dental records and other methods may be used to establish identity.

Only decedents who have been identified may be released to the mortuary selected by the next-of-kin.

#### VII. RESIDENCE OF THE DECEASED

#### A. PUBLIC ADMINISTRATOR'S SEAL

When the next-of-kin is a non-resident of the State of California <u>or</u> when the next-of-kin is unknown, the Coroner's Investigator upon removing the remains, shall affix a Public Administrator's seal to the door. THIS SEAL MAY ONLY BE REMOVED BY THE PUBLIC ADMINISTRATOR OR WITH THE AUTHORITY OF THAT OFFICE.

#### B. CORONER'S SEAL

When it is known that the next-of-kin is a resident of California who may not be readily available at the residence of the decedent, the Coroner's Investigator may place a Coroner's seal on the door to protect the premises. Permission to break this seal may be obtained by calling the Coroner's Department at (323) 343-0755 between the hours of 7:00 AM to 4:30 PM Monday to Friday.

#### VIII. RELEASE OF THE REMAINS

#### A. WITHIN LOS ANGELES COUNTY

It is not necessary for the legal next-of-kin to come into the Coroner's Office for this purpose.

The legal next-of-kin should contact a funeral director of his/her choice to make arrangements for the release of the body and a Release Form #5 (see Attachment VIII), which the funeral director will provide, must be signed by the legal next-of-kin. This release will permit the mortuary to remove the decedent from the Coroner's Office upon completion of the examination of the remains. Remains may be picked up at the Coroner's Department between 12:00 noon and 6:00 pm Monday thru Saturday. There are no releases on Sunday or Holidays.

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Coroner's personnel are not permitted to recommend a mortuary. The next-of-kin should seek the assistance of relatives, clergy, attorneys, etc. to make this choice.

#### B. LEGAL ORDER OF RELEASE

Health and Safety Code, Chapter 3, Custody and Duty of Interment applies.

7100 - The right to control the disposition of the remains of a deceased person, unless other directions have been given by the decedent, vests in, and the duty of interment and the liability for the reasonable cost of interment of such remains devolves upon the following in the order named:

- Durable Power of Attorney
- The surviving spouse.
- The surviving adult child or adult children of the decedent.
- The surviving parent or parents of the decedent.
- The person or persons respectively in the next degrees of kindred in the order named by the laws of California as entitled to succeed to the estate of the decedent.
- The Public Administrator when the deceased has sufficient assets.

The decedent's remains shall only be released to the person legally entitled, whether at a mortuary or at the Coroner's Department. The order of release is as follows:

- A spouse, no matter where physically located, whether separated, or involved in a divorce action (unless divorce is final), unless responsible for the death of the decedent.
- Adult children of the decedent. If the children are minor (under 18 years of age), the release may not be signed by the guardian of the children, acting for the minor child of the decedent. If the only legal next-of-kin is a minor child, the case <u>must</u> be reported to the Public Administrator.

If minor children are involved and there is no living parent, the release must be signed by the person who will petition the court for legal guardianship of the minor and so state on the release - or - present the Coroner's Department with a certified copy of Letters of Guardianship already issued.

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- Grandchildren are third in line of succession. Grandchildren have the same rights of kinship as any remaining children of the decedent when their parent (son or daughter of the decedent) is also deceased.
- Any parent of the decedent.
- Brothers or sisters of the decedent.
- Nieces and nephews of the decedent. Any niece or nephew of the decedent

whose parent was a brother or sister of the decedent, and that person is also deceased, has the same right as any remaining living brother or sister.

- The person or persons respectively in the next degrees of kindred in the order

The Public Administrator when the decedent has sufficient assets.

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NOTE: In release situations not covered above, the Department of Coroner is to make a decision on an individual case basis.

#### C. OUT OF LOS ANGELES COUNTY

- If the legal next-of-kin are not in Los Angeles County, and it is impractical to obtain a signed release form, they are required to send a FAX of instructions to this Office. The following format should be used:

ADDRESS ALL FAX: Public Services Division (323)223-5786

Investigations Division (323)224-8579

LA CORONER, CALIFORNIA

RELEASE OF REMAINS OF (NAME OF DECEDENT).

I AM THE LEGAL NEXT-OF-KIN (INDICATE RELATIONSHIP) TO

NAME, ADDRESS AND PHONE NUMBER

(NEXT-OF-KIN)

#### D. PRE-NEED/ARRANGEMENTS

The release, signed pre-arrangement, or FAX indicating mortuary preference, must be presented to this Department on all cases where Coroner's personnel have removed the remains to the Coroner's Department.

When the decedents have made arrangements for the disposition of their remains in writing, either in the form of a Will or pre-need, this document is a valid release. A photocopy or FAX of that document will be accepted, provided it is signed, dated and specifies a mortuary or specifically states a certain person "shall make the funeral arrangements."

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### E. <u>NEXT-OF-KIN WHEREABOUTS UNKNOWN</u>

If the whereabouts of the legal next-of-kin is unknown, the case will be reported to the Public Administrator. The remains may then be claimed after 72 hours by the NEXT legal next-of-kin after signing a statement on the release form that every effort has been made to contact the legal next-of-kin to no avail. Without the above statement, the remains will not be released by this Department. The Coroner will attempt to locate the legal next of kin and must demonstrate due diligence before releasing the remains.

For any other exceptions, contact the Supervising Coroner's Investigator at

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(323)343-0714 or Notifications at (323)343-0755.

Should there be any irregularities, differences or circumstances other than as reported, or problems of any nature that arise at the scene, call the Supervising investigator on duty before proceeding further.

NOTE: All Coroner's forms shall be completed by either typing or printing with black ink.

#### IX. DEATH CERTIFICATE

#### A. COMPLETION

Death certificates brought to the Coroner <u>must</u> be <u>complete</u> before the signature of a Deputy Coroner or clerk will be affixed.

Use a blank death certificate to fill in as much of the vital statistics as can be obtained.

When removing cases from the Coroner's Department, bring in a typed death certificate containing all available vital statistics.

The Coroner's Office is responsible for the name of the decedent, the date and time of death, the sex of the decedent, and the place of death. The name of the decedent shall be the name the decedent was identified by when official government documents or data bases are used, The Coroner is also responsible for the cause and manner of death and the injury information. These items can only be changed by this office, by amendment, after the Registrar has accepted the certificate or filling. The above items submitted to this office by mortuaries will be checked for accuracy before the certificate is completed and signed (See Attachment VII).

"White-out" type corrections or erasures will not be accepted by the Registrar. Therefore, they will not be accepted by this Department. Please check your certificates as to accuracy and neatness before presentation to avoid unnecessary trips and delays. In order to comply with the mandated

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responsibilities of this Department, it is requested that other items be completed by the funeral director including the name of the funeral director. Items 37 and 38 need not be completed to obtain a signed death certificate from the Coroner. Errors made on certificates by this Department after being prepared by the funeral director will be retyped in full by the Coroner's Department.

Death Certificates certified by the Coroner and issued to funeral directors who make subsequent alterations causing the Registrar to refuse the document will be handled as follows:

The funeral director will return the <u>ORIGINAL SIGNED</u> certificate along with a <u>new certificate</u> completely filled out including the items filled out

by the Coroner on the unacceptable certificate. Coroner's personnel will then compare the two certificates, complete the reverse side of the new certificate, certify the cause of death, place a copy of the certificate in the Coroner's file and VOID the unacceptable copy of the certificate.

NOTE: To falsify or deliberately change/alter a Death Certificate is a felony.

#### B. CAUSE OF DEATH

#### 1. PENDING CERTIFICATE

In cases where the cause of death cannot be determined at the time of autopsy, a deferred certificate will be issued until additional studies have been completed. Once the cause of death has been established, the Coroner's Office will issue an amendment to the Death Certificate. This amendment is sent to the County of Los Angeles, Department of Health Services, Vital Statistics office. It is sent by Health Services to the State of California for recording. Certified copies of the death certificate and amendment must be obtained from the County Registrar Recorder once the State has completed the processing of the amendment. The Death Certificate and amendment are State documents, and the processing and time interval of recording of these documents is completely governed by the State of California. Vital Statistics office.

#### 2. CAUSE OF DEATH - UNDETERMINED CERTIFICATE

There is a small number of cases where an autopsy and complete laboratory and investigative studies have been performed and the cause of death still cannot be determined. In these cases, the certificate of death will reflect that fact.

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#### 3. CAUSE AND MANNER OF DEATH QUESTIONED BY FAMILY

There are times when the cause and manner of death as determined by this department is questioned by the family. A letter should be sent to the Department of Coroner containing any new or different evidence and requesting a review of the cause and manner of death. The case will be reviewed and may be re-opened depending on the nature of the new evidence.

# C. DEATH CERTIFIED AT MORTUARIES

#### 1. CERTIFICATES SIGNED BY THE CORONER

Death certificates will be signed by a Coroner's Investigator when a valid release has been presented AND the certificate has been completed containing the following information:

Name of Decedent

Date and Time of Death

Sex

Date of Birth and Age

Social Security Number (if known)

Marital Status

**Usual Residence** 

Place of Death

Name of Funeral Director

Embalmer's License Number or state unembalmed

Investigators will check the date and place of death for accuracy before signing the certificate.

#### 2. <u>CERTIFICATE NOT SIGNED BY THE CORONER</u>

Certificates will not be signed if the above listed items are not completed.

Certificates prepared prior to the arrival of the Investigator, which become unacceptable because of error by the Investigator, shall be completely retyped by the Investigator.

Certificates completed but not signed by the Investigator which become unacceptable because of error by the mortuary shall be completely retyped by the mortuary including the Coroner's information. Similarly, if a physician makes an error, the physician will take corrective action. The new certificate shall be presented to the Coroner's office along with the unusable certificate and the proper release before the certificate will be signed.

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Coroner's personnel will compare the two certificates, complete the back and sign the document.

The unacceptable certificate will be voided by Coroner's personnel, and placed with the file.

#### 3. HOSPITAL AND NURSING CARE FACILITY REPORT - Form #18

This form is used primarily by acute care hospitals to report deaths. It is filled out by the facility and given to mortuary personnel when removing Coroner cases which do not need to come to the Coroner's Office.

When the Coroner investigator goes to a mortuary to sign-off on a Coroner's case, this form is to be given to the Coroner Investigator and it becomes part of the Coroner's case record (see Attachment IX). Any and all medical records

received by the mortuary are to be turned over to the Coroner. Mortuary staff are not to make copies of records for retention by the mortuary. The records belong to the Coroner, not the family or handling mortuary.

#### X. REQUEST FOR DOCUMENTS/FEES

The County is required to assess certain fees for transportation and storage. Certain fees are also required for documents and records. Copies of Coroner's records may be obtained by contacting the Document Desk. For additional information, call (323)343-0512.

#### XI. CORONER'S GENERAL TELEPHONE DIRECTORY

Reporting Desk - Report a Death (323) 343-0711

Identification 343-0754

Notification 343-0755

To make appointment to talk to

a Deputy Medical Examiner 343-0518

Problems with Release of Remains 343-0506

Investigations Division(24 Hours) 343-0714

Medical Operations Officer 343-0520

Personal Property of Decedents 343-0515

Questioned Cause of Death - Duty Doctor,

Forensic Medicine Division 343-0520

Information on Ordering Documents 343-0512

Liaison to Funeral Directors Assoc. 343-0519 (Nancy Palmer)

#### **FAX Numbers:**

Clearances (323) 222-7041

Investigations (323) 224-8579

Administration (323) 221-9768

Certifications (323) 223-5630

Morgue Management (323) 223-5786

#### **ATTACHMENTS**

- I. HEALTH AND SAFETY CODE SECTION 102850
- II. GOVERNMENT CODE SECTION 27491
- III. GOVERNMENT CODE SECTION 27491.43
- IV. PERSONAL EFFECTS INVENTORY: FORM #2
- V. CORONER'S TOE TAG
- VI. FORM #7
- VII. DEATH CERTIFICATE
- VIII. ORDER FOR RELEASE: FORM #5
- IX. HOSPITAL REPORT CORONER'S CASES: FORM #18
- X. GOVERNMENT CODE 27491.3
- XI. PROBATE CODE 13101
- XII. GOVERNMENT CODE SECTION 27491.41

Rev. 9/11/02

#### ATTACHMENT I

Health and Safety Code 102850

A physician and surgeon, physician assistant, funeral director, or other person shall immediately notify the coroner when he or she has knowledge of a death that occurred or has charge of a body in which death occurred under any of the following circumstances:

- (a) Without medical attendance.
- (b) During the continued absence of the attending physician and surgeon.
- (c) Where the attending physician and surgeon or the physician assistant is unable to state the cause of death.
  - (d) Where suicide is suspected.
  - (e) Following an injury or an accident.
- (f) Under circumstances as to afford a reasonable ground to suspect that the death was caused by the criminal act of another.

Any person who does not notify the coroner as required by this section is guilty of a misdemeanor.

#### California Government Code 27491

It shall be the duty of the coroner to inquire into and determine the circumstances, manner, and cause of all violent, sudden, or unusual deaths; unattended deaths; deaths wherein the deceased has not been attended by a physician in the 20 days before death; deaths related to or following known or suspected self-induced or criminal abortion; known or suspected homicide, suicide, or accidental poisoning; deaths known or suspected as resulting in whole or in part from or related to accident or injury either old or recent; deaths due to drowning, fire, hanging, gunshot, stabbing, cutting, exposure, starvation, acute alcoholism, drug addiction, strangulation, aspiration, or where the suspected cause of death is sudden infant death syndrome; death in whole or in part occasioned by criminal means; deaths associated with a known or alleged rape or crime against nature; deaths in prison or while under sentence; deaths known or suspected as due to contagious disease and constituting a public hazard; deaths from occupational diseases or occupational hazards; deaths of patients in state mental hospitals serving the mentally disabled and operated by the State Department of Mental Health; deaths of patients in state hospitals serving the developmentally disabled and operated by the State Department of Developmental Services; deaths under such circumstances as to afford a reasonable ground to suspect that the death was caused by the criminal act of another; and any deaths reported by physicians or other persons having knowledge of death for inquiry by coroner. Inquiry pursuant to this section does not include those investigative functions usually performed by other law enforcement agencies.

In any case in which the coroner conducts an inquiry pursuant to this section, the coroner or a deputy shall personally sign the certificate of death. If the death occurred in a state hospital, the coroner shall forward a copy of his or her report to the state agency responsible for the state hospital.

The coroner shall have discretion to determine the extent of inquiry to be made into any death occurring under natural circumstances and falling within the provisions of this section, and if inquiry determines that the physician of record has sufficient knowledge to reasonably state the cause of a death occurring under natural circumstances, the coroner may authorize that physician to sign the certificate of death.

For the purpose of inquiry, the coroner shall have the right to exhume the body of a deceased person when necessary to discharge the responsibilities set forth in this section.

Any funeral director, physician, or other person who has charge of a deceased person's body, when death occurred as a result of any of the causes or circumstances described in this section, shall immediately notify the coroner. Any person who does not notify the coroner as required by this section is guilty of a misdemeanor.

#### California Government Code 27491.43

- (a) (1) Notwithstanding any other provision of law, except as otherwise provided in this section in any case in which the coroner, before beginning an autopsy, dissection, or removal of corneal tissue, pituitary glands, or any other organ, tissue, or fluid, has received a certificate of religious belief, executed by the decedent as provided in subdivision (b), that the procedure would be contrary to his or her religious belief, the coroner shall not perform that procedure on the body of the decedent.
- (2) If, before beginning the procedure, the coroner is informed by a relative or a friend of the decedent that the decedent had executed a certificate of religious belief, the coroner shall not perform the procedure, except as otherwise provided in this section, for 48 hours. If the certificate is produced within 48 hours, the case shall be governed by this section. If the certificate is not produced within that time, the case shall be governed by the other provisions of this article.
- (b) Any person, 18 years of age or older, may execute a certificate of religious belief which shall state in clear and unambiguous language that any postmortem anatomical dissection or that specified procedures would violate the religious convictions of the person. The certificate shall be signed and dated by the person in the presence of at least two witnesses. Each witness shall also sign the certificate and shall print on the certificate his or her name and residence address.
- (c) Notwithstanding the existence of a certificate, the coroner may at any time perform an autopsy or any other procedure if he or she has a reasonable suspicion that the death was caused by the criminal act of another or by a contagious disease constituting a public health hazard.
- (d) (1) If a certificate is produced, and if subdivision (c) does not apply, the coroner may petition the superior court, without fee, for an order authorizing an autopsy or other procedure or for an order setting aside the certificate as invalid. Notice of the proceeding shall be given to the person who produced the certificate. The proceeding shall have preference over all other
- (2) The court shall set aside the certificate if it finds that the certificate was not properly executed or that it does not clearly state the decedent's religious objection to the proposed procedure.
- (3) The court may order an autopsy or other procedure despite a valid certificate if it finds that the cause of death is not evident, and that the interest of the public in determining the cause of death outweighs its interest in permitting the decedent and like persons fully to exercise their religious convictions.
- (4) Any procedure performed pursuant to paragraph (3) shall be the least intrusive procedure consistent with the order of the court.
- (5) If the petition is denied, and no stay is granted, the body of the deceased shall immediately be released to the person authorized to control its disposition.
- (e) In any case in which the circumstances, manner, or cause of death is not determined because of the provisions of this section, the coroner may state on the certificate of death that an autopsy was

not conducted because of the provisions of this section.

(f) A coroner shall not be liable for damages in a civil action for any act or omission taken in compliance with the provisions of this section.

UNTY OF LOS	ANGEL	ES			TACHME	NT IV	ORY			DEPART	MENT OF CORON
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Phone (

ZIP

City\_

Relationship \_

Address \_\_

#### ATTACHMENT V

Coroner's Toe Tag

COUNTY OF LOS ANGELES

# ATTACHMENT VI DECLARATION PURSUANT TO SECTION 27491.3 GOVERNMENT CODE

The undersigned, (name of declarant), declares as follows:

DEPARTMENT OF CORONER

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(To be executed by each person entitled to the personal property, or any part thereof, of the decedent, under the provisions of Section 27491.3 of the California Government Code)

No.

1. deceden	I am the successor in interest of decedent,	
2.	No proceeding is now being or has been conducted in California for administration of the decedent's estate.	
	The gross value of the decedent's real and personal property in California, excluding the property described in Section of the California Probate Code, does not exceed one hundred thousand dollars (100,000).	2
	The following constitutes a portion of the property in the decedent's estate: See attached property inventory	
law and terest in property	Decedent died without a will and, under Section 6402 of the California Probate Code, I am decedent's sole heir at the successor of the decedent (as defined in Section 13006 of the California Probate Code) to the decedent's inthe described property. (Modify appropriately if (i) the declarant is decedent's testate beneficiary of the described or (ii) decedent died without a will, left more than one intestate heir, but declarant has the superior right under Section 6402 to inherit the described property).	
6.	No other person has a right to decedent's interest in the described property.	
	Pursuant to the facts set forth above and Section 13100 et seq. of the California Probate Code, I request that the d property attached be paid (or "transferred" or "delivered" as appropriate) to the declarant.	
deliver to money a the unde loss, cos	Wherefore, declarant hereby requests the Department of Coroner of Los Angeles County to pay and of declarant said money and/or personal property as described, and, in consideration of the payment of the ind/or delivery of the personal property described within the declaration, receipt of which is hereby acknowledged, exigned hereby jointly and severally agree to hold said Department of Coroner harmless against all liability, it, damage, or expense, to which he may be put or which he may incur by reason of the payment and/or of said money and/or property.	
l declare	under penalty of perjury under the laws of the State of California that the foregoing is true and correct.	
DATE:		
/s/(s	ignature of declarant) (Relationship)	
(a	ddress)	
	If more than one declarant is entitled to succeed to the described property all should join in executing the on, and the allegations should be modified to reflect the plural]	
76A33B	(see reverse side)	

#### ATTACHMENT VII CERTIFICATE OF DEATH

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NFORMANT	26. NAME, RELATIO	DNSHIP					27. 1	HAILING	ADDRES	a central	ET AND NUMB	ER OF RUNAL R	DIVER	NUMBER.	CITY DR 1	THE STATE, 31
	28. NAME OF SURV	nves seo	UNE-FIRM	*	29. HID	OLE.				30. L	AST (MAIDE)	( NAME)				
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LOCAL REGISTRAN	64. NAME OF PURE	MAL DIREC	TOR		41	S. LICEN		te. store	ATURE	OF LOC	AL REDIETE	N/FF		47	DAYE N	M/80/661
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COUNTY OF LOS ANGELES

# ATTACHMENT VIII ORDER FOR RELEASE — ORDEN DE ENTEGRA

DEPARTMENT OF CORONER

5

Please road and answer all questions before signing

WAS THE DECEDENT LEGALLY MARRIED
AT THE TIME OF DEATH!
DOES THE DECEDENT HAVE ANY LIVING ADULT CHILDREN?

Favor de leer v contestar todas las preguntas antes de firmar ¿El Finado tiene hijos ó hijas mayores de 18 años? ¿El Finado ha sido casado legalmente? Case No. Case Name

#### HEALTH AND SAFETY CODE . CHAPTER 3 . CUSTODY AND DUTY OF INTERMENT

7100. The right to control the disposition of the remains of a deceased person, unless other directions have been given by the decedent, vests in, and the duty of interment and the liability for the reasonable cost of interment of such remains devolves upon the following in the order named: (a) The surviving spouse: (b) The surviving adult child or adult children of the decedent. (c) The surviving parent or parents of the decedent. (d) The person or persons respectively in the next degrees of kindred in the order named by the laws of California as entitled to succeed to the estate of the decedent. (e) The Public Administrator when the deceased has sufficient assets.

"WARNING: The person signing this Order for Release is liable for all damages caused by any untruthful statements contained in this document. (Health and Safety Code Section 7110). It is also a criminal offense to knowingly file a false statement with a government agency. (Penal Code Section 115 and 470)" Therefore, please release the body upon completion of your investigation of the death of said deceased to:

MORTUARY:			
NAME (PRINTED)		Relatio	onship
Address	City	State	Zip Code
Telephone No.	Date Sig	gned	
SIGNATURE			
If the legal next of kin is not handling documents, e.g. wills, power of antorney,	, please enter next of kin information below and faxes, etc.	explain why they are not hand	ing. Attach supporting authorization
Name	Relationship	Teleph	ione No.

#### CODIGO DE SANIDAD Y SEGURIDAD . CAPITULO 3 . Custodia y Obligacion de Entierro

7100. El derecho de controlar la dispocion de los restos del finado a mentos de que otras instrucciones hayan sido dadas por el finado, dar autoridad, y el deber del entierro y la responsabilidad por el gasto justo de entierro de tales restos pasa sobre lo siguiente en el orden nombrado, (a) esposo o esposa (b) hijo ó hijas mayores de 18 años (c) padre o pudres del finado (d) personas respectivamente en los grados de parentesco en el orden nombrado por las leyes de California como que tiene derecho se suceder al los bienes del finado (e) El Administrador Publico cuando el finado tiene suficiente bienes.

"AVISO: La persona firmando esta orden para cesion es sujeto por todos los perjuicios causado por alguna falsa declaración contenido en este documento. (Seccion 7110 Del Codigo De Sanidad y Seguridad) Es una ofensa criminal presenta al proposito falsos testimonio con una agencia del gobierno. (Codigo De Pena Seccion 115 y 470)". Por eso, favor de entregar los restos del finado despues de completar la investigación a:

NOMBRE	(ESCRIBA EN LETRA DE MOLDE)	P	arentesco
Domicilio	Cuidad	Estado	Zona Postal
Telefono	Fech.	a Firmada	
FIRMA			
Si no es el pariente próximo del testamento, incluir una co	, firme y explique porque el pariente próx pia del testamento.	imo no esta arreglando los trám	ites en este asunto. Si es el albacea
Pariente próximo		Parentes	co
Domicilio	Cuidad	Estado	Zona Postal

EUNED ADIA

#### ATTACHMENT VIII

DUNTY OF LOS ANGELES INFORMATION OBTAINED BY N	ORTUARY FROM FAMILY DEPARTMENT OF CORONE
Attending Physician:	Phone:
Address:	Last Date Attended:
Diagnosis:	
Surgery: Date :	Hospital:
WITNESSED DEATH Yes No If no, LAST KNOWN	ALIVE DateTime
Date and Time Discovered	Where
	Police Agency Investigated   Yes   No
If yes — Name and Division of Police Agency	
REST HOME OR CONVALESCENT HOSPITAL DEATH: Date Admitte	ed
Admitting Diagnosis:	
PERTINENT INFORMATION	
HISTORY OR EVIDENCE OF INJURY: Yes No TYPE O	
Date and Time of Injury:	Address:
City:	State:
How did injury occur:	If neither, where:
ALL MEDICAL EVIDENC	CE LIST BELOW
R No. Date Contents:	Amount Amount Prescribed: Remaining:
THIS FORM COMPLETED BY	
DECEDENT PERSONALLY IDENTIFIED BY:/IDENTIFICATIO	ON HECHA POR:
Signed / Firma	Witness/Testigo
Name (Printed)	Nombre
	Address/Domicilio (ESCRIBA EN LETRA DE MOLDE)
or . or	City/Ciudad
Telephone No. / Telefono	Date Signed/Fecha Fermada

COUNTY OF LOS ANGELES DEPARTMENT OF CORONER

# ATTACHMENT IX HOSPITAL AND NURSING

1104 NORTH MISSION ROAD LOS ANGELES, CALIF 90033

18		S. USE INK, IF UNKNOWN OF		CC#	
	NAME OF	PACILITY			
ADDRESS		PHONE			
NAME OF DECEDENT					
DATE OF DEATH	TIME			AGESEXR	ACE
PRONOUNCED BY		MEDICAL RECO	RD OR PATIENT FILE #		
EMERGENCY ROOM HOSPITAL IN PATIE		ORGAN/TISSUE DONAT S THE NEXT-OF-KIN APPRO-			
DATE ADMITTED	_		TIME		
		TIVES PRIENDS	SELF AMB	ULANCE INMESTRA. #)	
ISTATE WHETHE	R HOME, HOSPITAL, DR	OTHER) GIVE ADDRESS	(IF HOSPI	TAL ATTACH THEIR HISTORY	)
ADMITTED BY				nts	
PHONE #		PHONE			
NJURIES DATE	0.00	F		Status	
	TIME			CAUSE TRAFFIC, FALL, E	TC.)
DATE DESCRIBE INJURIES CLINICAL HISTORY	TIME			THAFFIC, FALL E	TC.)
DESCRIBE INJURIES CLINICAL HISTORY SURGICAL PROCEDURE	E STATE TYPE, DATE, T	IME AND RESULTS OF ANY	OPERATION OR AMPU		řc.j
DESCRIBE INJURIES  CLÍNICAL HISTORY  SURGICAL PROCEDURE:	ESTATE TYPE, DATE, T	OVERED? SPECIFY	OPERATION OR AMPU	TATION PERFORMED	tc.)
DESCRIBE INJURIES  CLÍNICAL HISTORY  SURGICAL PROCEDURE  WAS A BULLET OR OTHI	ER FOREIGN OBJECT RE	IME AND RESULTS OF ANY	OPERATION OR AMPU	TATION PERFORMED	TC.)
DESCRIBE INJURIES  CLINICAL HISTORY  SURGICAL PROCEDURE:  WAS A BULLET OR OTH  LABORATORY RESULTS	ER FOREIGN OBJECT RE	OVERED? SPECIFY	OPERATION OR AMPU	TATION PERFORMED	†c.)
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DESCRIBE INJURIES  CLINICAL HISTORY  SURGICAL PROCEDURE  WAS A BULLET OR OTHI  LABORATORY: SPECIF-  LABORATORY RESULTS  RETAIN LABORATORY:  X-RAY REPORT	ER FOREIGN OBJECT RE  SPECIMENS TAKEN	COVERED? SPECIFY	OPERATION OR AMPU	TATION PERFORMED	†c.)
DESCRIBE INJURIES  CLINICAL HISTORY  SURGICAL PROCEDURE  WAS A BULLET OR OTH  LABORATORY SPECIF  LABORATORY RESULTS  RETAIN LABORATORY:  X-RAY REPORT	ER FOREIGN OBJECT RE  SPECIMENS TAKEN	COVERED? SPECIFY	OPERATION OR AMPU	TATION PERFORMED	TC.)

76H655 (REV 8/91)
THE BODY WILL NOT BE REMOVED BY THE CORONER WITHOUT THIS COMPLETED REPORT AND COPIES OF ALL CHARTS.

#### ATTACHMENT X

#### California Government Code 27491.3

(a) In any death into which the coroner is to inquire, the coroner may take charge of any and all personal effects, valuables, and property of the deceased at the scene of death or related to the inquiry and hold or safeguard them until lawful disposition thereof can be made. The coroner may lock the premises and apply a seal to the door or doors prohibiting entrance to the premises, pending arrival of a legally authorized representative of the deceased. However, this shall not be done in such a manner as to interfere with the investigation being conducted by other law enforcement agencies.

Any costs arising from the premises being locked or sealed while occupied by property of the deceased may be a proper and legal charge against the estate of the deceased. Unless expressly permitted by law, any person who enters any premises or tampers with or removes any lock or seal in violation of this section is guilty of a misdemeanor.

- (b) Any property or evidence related to the investigation or prosecution of any known or suspected criminal death may, with knowledge of the coroner, be delivered to a law enforcement agency or district attorney, receipt for which shall be acknowledged.
- (c) Except as otherwise provided in subdivision (d), any person who searches for or removes any papers, moneys, valuable property or weapons constituting the estate of the deceased from the person of the deceased or from the premises, prior to arrival of the coroner or without the permission of the coroner, is guilty of a misdemeanor. At the scene of any death, when it is immediately apparent or when it has not been previously recognized and the coroner's examination reveals that police investigation or criminal prosecution may ensue, the coroner shall not further disturb the body or any related evidence until the law enforcement agency has had reasonable opportunity to respond to the scene, if their purposes so require and they so request. Custody and control of the body shall remain with the coroner at all times. Reasonable time at the scene shall be allowed by the coroner for criminal investigation by other law enforcement agencies, with the time and location of removal of the remains to a convenient place to be determined at the discretion of the coroner.
- (d) A peace officer may search the person or property on or about the person of the deceased, whose death is due to a traffic accident, for a driver's license or identification card to determine if an anatomical donor card is attached. If a peace officer locates such an anatomical donor card which indicates that the deceased is an anatomical donor, the peace officer shall immediately furnish such information to the coroner having jurisdiction.

"Peace officer," as used in this subdivision, means only those persons designated in Sections 830.1 and 830.2 of the Penal Code.

#### California Probate Code 13101

- (a) To collect money, receive tangible personal property, or have evidences of a debt, obligation, interest, right, security, or chose in action transferred under this chapter, an affidavit or a declaration under penalty of perjury under the laws of this state shall be furnished to the holder of the decedent's property stating all of the following:
  - (1) The decedent's name.
  - (2) The date and place of the decedent's death.
- (3) "At least 40 days have elapsed since the death of the decedent, as shown in a certified copy of the decedent's death certificate attached to this affidavit or declaration."
  - (4) Either of the following, as appropriate:
- (A) "No proceeding is now being or has been conducted in California for administration of the decedent's estate."
- (B) "The decedent's personal representative has consented in writing to the payment, transfer, or delivery to the affiant or declarant of the property described in the affidavit or declaration."
- (5) "The current gross fair market value of the decedent's real and personal property in California, excluding the property described in Section 13050 of the California Probate Code, does not exceed one hundred thousand dollars (\$100,000)."
- (6) A description of the property of the decedent that is to be paid, transferred, or delivered to the affiant or declarant.
- (7) The name of the successor of the decedent (as defined in Section 13006 of the California Probate Code) to the described property.
  - (8) Either of the following, as appropriate:
- (A) "The affiant or declarant is the successor of the decedent (as defined in Section 13006 of the California Probate Code) to the decedent's interest in the described property."
- (B) "The affiant or declarant is authorized under Section 13051 of the California Probate Code to act on behalf of the successor of the decedent (as defined in Section 13006 of the California Probate Code) with respect to the decedent's interest in the described property."
- (9) "No other person has a superior right to the interest of the decedent in the described property."
- (10) "The affiant or declarant requests that the described property be paid, delivered, or transferred to the affiant or declarant."
- (11) "The affiant or declarant affirms or declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct."
- (b) Where more than one person executes the affidavit or declaration under this section, the statements required by subdivision (a) shall be modified as appropriate to reflect that fact.
- (c) If the particular item of property to be transferred under this chapter is a debt or other obligation secured by a lien on real property and the instrument creating the lien has been recorded in

the office of the county recorder of the county where the real property is located, the affidavit or declaration shall satisfy the requirements both of this section and of Section 13106.5.

(d) A certified copy of the decedent's death certificate shall be attached to the affidavit or declaration.

#### ATTACHMENT XI(Continued)

(e) If the decedent's personal representative has consented to the payment, transfer, or delivery of the described property to the affiant or declarant, a copy of the consent and of the personal representative's letters shall be attached to the affidavit or declaration.

#### California Government Code 27491.41

- (a) For purposes of this section, "sudden infant death syndrome" means the sudden death of any infant that is unexpected by the history of the infant and where a thorough postmortem examination fails to demonstrate an adequate cause of death.
- (b) The Legislature finds and declares that sudden infant death syndrome (SIDS) is the leading cause of death for children under age one, striking one out of every 500 children. The Legislature finds and declares that sudden infant death syndrome is a serious problem within the State of California, and that public interest is served by research and study of sudden infant death syndrome, and its potential causes and indications.
- (c) (1) To facilitate these purposes, the coroner shall, within 24 hours, or as soon thereafter as feasible, perform an autopsy in any case where an infant has died suddenly and unexpectedly.
- (2) However, if the attending physician desires to certify that the cause of death is sudden infant death syndrome, an autopsy may be performed at the discretion of the coroner. If the coroner performs an autopsy pursuant to this section, he or she shall also certify the cause of death.
- (d) The autopsy shall be conducted pursuant to a standardized protocol developed by the State Department of Health Services. The protocol is exempt from the procedural requirements pertaining to the adoption of administrative rules and regulations pursuant to Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. The protocol shall be developed and approved by July 1, 1990.
- (e) The protocol shall be followed by all coroners throughout the state when conducting the autopsies required by this section. The coroner shall state on the certificate of death that sudden infant death syndrome was the cause of death when the coroner's findings are consistent with the definition of sudden infant death syndrome specified in the standardized autopsy protocol. The protocol may include requirements and standards for scene investigations, requirements for specific data, criteria for ascertaining cause of death based on the autopsy, and criteria for any specific tissue sampling, and any other requirements. The protocol may also require that specific tissue samples must be provided to a central tissue repository designated by the State Department of Health Services.
- (f) The State Department of Health Services shall establish procedures and protocols for access by researchers to any tissues, or other materials or data authorized by this section. Research may be conducted by any individual with a valid scientific interest and prior approval from the State Committee for the Protection of Human Subjects. The tissue samples, the materials, and all data shall be subject to the confidentiality requirements of Section 103850 of the Health and Safety Code.
- (g) The coroner may take tissue samples for research purposes from infants who have died suddenly and unexpectedly without consent of the responsible adult if the tissue removal is not likely to result in any visible disfigurement.
- (h) A coroner shall not be liable for damages in a civil action for any act or omission done in compliance with this section.

