

REVISED

ANALYSIS

This ordinance amends Title 2 (Administration), Title 5 (Personnel), and Title 11 (Health and Safety), of the Los Angeles County Code by changing all references to "Medical Examiner-Coroner" to "Medical Examiner," to reflect the name change of the Department of Medical Examiner-Coroner to Department of Medical Examiner and to update the associated titles of its ordinance positions.

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By 

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BTC:er

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ORDINANCE NO. _____

An ordinance amending Title 2 (Administration), Title 5 (Personnel), and Title 11 (Health and Safety), of the Los Angeles County Code, relating to the name change for the Department of Medical Examiner-Coroner.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Chapter 2.22, Department of Medical Examiner-Coroner is hereby amended to read as follows:

Chapter 2.22 Department of Medical Examiner—Coroner

SECTION 2. Section 2.22.010 is hereby amended to read as follows:

2.22.010 Creation—Name.

There is created a department of the eCounty, which shall be known as the "Department of Medical Examiner-~~Coroner~~," hereinafter referred to in this chapter as the "dDepartment." Whenever the term "dDepartment of eCoroner" or "eCoroner" is used in this County Code, it shall be deemed to mean "Department of Medical Examiner-~~Coroner~~."

SECTION 3. Section 2.22.020 is hereby amended to read as follows:

2.22.020 Chief ~~m~~Medical ~~e~~Examiner-~~coroner~~—Appointment and aAuthority.

The dDepartment of ~~m~~Medical eExaminer-~~coroner~~ shall be under the direction, management and control of the cChief ~~m~~Medical eExaminer-~~coroner~~, who shall be appointed by the bBoard of sSupervisors, pursuant to Los Angeles County Charter

section 14 and section 2.01.030 of this code, hereinafter referred to as the "Chief
Medical Examiner."

SECTION 4. Section 2.22.030 is hereby amended to read as follows:

2.22.030 Chief Medical Examiner—Duties.

The Chief Medical Examiner shall, within his or her discretion, exercise the powers and perform the duties of the Coroner as specified by Chapter 10 of Part 3 of Division 2 of Title 3 of the Government Code and other laws and regulations that relate to Medical Examiner and Coroner functions. The Chief Medical Examiner, with the exception of discretionary medical determinations of the cause and manner of death, acts under the administrative oversight of the Chief Executive Officer. The Chief Medical Examiner shall exercise general supervision over all functions of the Department, including the selection, appointment and direction of a Chief Deputy Director, and all physician and non-physician staff, and shall enforce such rules and regulations as are prescribed and approved by the Board of Supervisors. The Chief Medical Examiner shall, at all times, direct all physician functions within the Department, and independently direct all post-mortem inquiries into the cause and manner of death that come within the Chief Medical Examiner's jurisdiction. The Chief Medical Examiner, within his or her discretion, shall cooperate with law enforcement agencies and organ procurement organizations, and prepare and present materials to the Board of Supervisors and other legislative bodies when requested.

SECTION 5. Section 2.22.040 is hereby amended to read as follows:

2.22.040 Chief ~~m~~Medical ~~e~~Examiner-~~coroner~~—Title of ~~e~~Office.

The ~~e~~Coroner whose office is provided for in Section 7 1/2 of Article XI of the Constitution of this ~~s~~State and in Section 14 of Article IV of the Charter of this ~~e~~County shall be known and referred to as the "~~e~~Chief ~~m~~Medical ~~e~~Examiner-~~Coroner~~." All documents, ordinances, resolutions and communications shall refer to said officer as "~~e~~Chief ~~m~~Medical ~~e~~Examiner-~~Coroner~~." Insofar as not in conflict with the Constitution or general laws, the said officer shall sign all communications and other documents under the title "~~e~~Chief ~~m~~Medical ~~e~~Examiner-~~Coroner~~."

SECTION 6. Section 2.22.060 is hereby amended to read as follows:

2.22.060 Fee for ~~e~~Copying ~~d~~Documents or ~~r~~Records.

The ~~e~~Chief ~~m~~Medical ~~e~~Examiner-~~coroner~~ shall charge a fee, and deposit same in the ~~e~~County treasury, for the preparation and furnishing of copies of documents or records in his office, not to exceed the actual cost of providing such copy.

SECTION 7. Section 2.22.070 is hereby amended to read as follows:

2.22.070 No ~~e~~Charge for ~~d~~Documents or ~~r~~Records ~~w~~When.

The ~~e~~Chief ~~m~~Medical ~~e~~Examiner-~~coroner~~ shall not furnish any document or record to any private hospital, person, firm or corporation unless the fees prescribed in this ~~e~~Chapter are paid, except:

A. As otherwise provided for by law;

B. The ~~e~~Chief ~~m~~Medical ~~e~~Examiner-~~coroner~~ may furnish any of the documents described in this chapter free of charge to any physician and to any public or

private hospital, which physician or public or private hospital, as the case may be, has furnished the medical history of the decedent.

SECTION 8. Section 2.22.080 is hereby amended to read as follows:

2.22.080 Embalming eCosts.

Pursuant to Section 27471 of the Government Code, whenever the eChief ~~m~~Medical ~~e~~Examiner-~~e~~or~~e~~ner takes custody of a dead body pursuant to law, the eChief ~~m~~Medical ~~e~~Examiner-~~e~~or~~e~~ner shall make a reasonable attempt to locate the family within twenty-four (24) hours. At the end of twenty-four (24) hours, the eChief ~~m~~Medical ~~e~~Examiner-~~e~~or~~e~~ner may embalm the body or authorize the embalming by a mortician. If the embalming has been requested by the family or by a person authorized to take charge of the body prior to such embalming, and such family or person has agreed to accept the expense, the eChief ~~m~~Medical ~~e~~Examiner-~~e~~or~~e~~ner shall charge and collect \$135.00. Any family, however, which has not been located within twenty-four (24) hours of the ~~e~~or~~e~~ner Department of Medical Examiner obtaining custody of the body, shall be charged \$65.00.

SECTION 9. Section 2.22.090 is hereby amended to read as follows:

2.22.090 Deposit of fFees.

The eChief ~~m~~Medical ~~e~~Examiner-~~e~~or~~e~~ner shall deposit all fees collected by the ~~d~~Department in the eCounty treasury as required by law.

SECTION 10. Section 2.22.100 is hereby amended to read as follows:

2.22.100 Charge for ~~r~~Removing and ~~k~~Keeping ~~d~~Dead ~~b~~Bodies.

A. Pursuant to Section 27472 of the Government Code, whenever custody of a dead body is taken by the ~~d~~Department of ~~coroner~~Medical Examiner pursuant to law, the ~~e~~Chief ~~m~~Medical ~~e~~Examiner-~~coroner~~ may charge and collect from the person entitled to control the disposition of the remains, as specified in Section 7100 of the Health and Safety Code, the actual expense incurred by the ~~coroner~~Department of Medical Examiner in removing the body from the place of death and keeping the body until its release to the person responsible for its interment. The charge shall be an amount not to exceed four hundred dollars (\$400.00). The charge shall not be imposed upon a person who claims and proves to be indigent, and shall not include expenses of keeping the body during the time necessary for the ~~e~~Chief ~~m~~Medical ~~e~~Examiner-~~coroner~~ to perform his or her duties in connection with it. The charge shall not be imposed in cases in which the body is that of a child no more than fourteen (14) years of age, or in cases in which the ~~coroner~~Chief Medical Examiner ascribes the death to the criminal act of another unless the ~~coroner~~Chief Medical Examiner has reasonable grounds to believe that the deceased was involved in any criminal activity which contributed to his or her own death. The charge, if not paid, may be considered a part of the funeral expenses and paid as a preferred charge against the estate of the decedent.

B. The ~~e~~Chief ~~m~~Medical ~~e~~Examiner-~~coroner~~ shall determine when the charge authorized hereby will be imposed and the amount thereof. No charge shall be imposed

if private charitable funds available to pay funeral costs would thereby be reduced so as to preclude payment of the costs from such funds.

SECTION 11. Section 2.22.110 is hereby amended to read as follows:

2.22.110 POST ~~t~~Training and ~~r~~Reimbursement ~~p~~Program.

A. The eCounty of Los Angeles declares that it desires those pPeace eOfficer employees designated by the dDepartment of ~~e~~o~~r~~n~~er Medical Examiner to participate in the Commission on Peace Officer Standards and Training reimbursement program.~~

B. The dDepartment of ~~e~~o~~r~~n~~er Medical Examiner will adhere to the standards for selection and training established by the Commission.~~

C. The Commission and its representatives may make such inquiries as deemed appropriate by the Commission to ascertain that dDepartment of ~~e~~o~~r~~n~~er Medical Examiner pPeace eOfficer personnel adhere to standards for selection and training established by the Commission.~~

SECTION 12. Section 2.170.020 is hereby amended to read as follows:

2.170.020 Records of County Agencies Employing Peace Officers.

A. For purposes of this section, the following definitions apply, whether used in the singular or plural:

...

3. "Decisional Records" are a subset of Records as defined below and specifically mean:

...

c. Los Angeles County Department of Medical Examiner's-Coroner's Report relating to any Sheriff's Department deputy-involved shooting or Probation Department officer-involved shooting.

...

SECTION 13. Section 5.56.040 is hereby amended to read as follows:

5.56.040 Professional ~~d~~Dues ~~r~~Reimbursed ~~w~~When.

The ~~e~~County shall annually reimburse each person who is a member of the legal staff of the ~~e~~County ~~e~~Counsel, ~~d~~District ~~a~~Attorney or ~~p~~Public ~~d~~Defender departments, ~~or who is in the class of chief, inquest division, coroner,~~ the full amount of his yearly dues to the State Bar of California. In the event any such person is in an employee representation unit in which reimbursement of such yearly dues is covered by the terms of a memorandum of understanding which has been approved by the ~~b~~Board of ~~s~~Supervisors such reimbursement shall be made in accordance with the memorandum of understanding.

SECTION 14. Section 11.28.060 is hereby amended to read as follows:

11.28.060 Elevated ~~b~~Blood-~~I~~Lead ~~I~~Level—Report ~~r~~Requirements.

A. Physicians and Other Medical Personnel. It shall be the duty of every physician, practitioner, dentist, ~~coroner~~medical examiner, every superintendent or manager of a dispensary, hospital, clinic or laboratory, to notify the ~~d~~Director promptly upon determining an elevated blood-lead level of thirty (30) micrograms per deciliter or greater in any child under seven (7) years of age.

SECTION 15. Appendix 1, Section 28 Instructions to Funeral Directors is hereby amended to read as follows:

...

B. ~~CORONER'S~~ DEPARTMENT OF MEDICAL EXAMINER'S CASES
(Section 27491, Health and Safety Code)

1. Any funeral ~~d~~Director or embalmer called in a death from an unknown cause or suspected communicable disease must immediately notify the ~~coroner~~ Department of Medical Examiner and be guided by ~~his~~ its order. (Section 7300, 7301, 10225 and 10250, Health and Safety Code.)

2. Among those cases requiring inquiry by the ~~Coroner~~ Department of Medical Examiner are: "... deaths known or suspected as due to contagious disease and constituting a public hazard ..." A ~~Coroner~~ Department of Medical Examiner referral will not be necessary for diagnosed cases of contagious disease, since the local procedures and the action of the Department of Health Services after notification will be the defense against any public hazard.

3. Cases of possible but not diagnosed contagious diseases, such as possible meningitis or possible pulmonary tuberculosis when an autopsy is not contemplated, shall be referred to the ~~Coroner~~ Department of Medical Examiner for diagnosis following which notification of proper authorities will be made.

4. Deaths from the following reportable diseases shall be ~~Coroner~~ Department of Medical Examiner cases:

...

SECTION 16. Pursuant to Government Code Section 25123, this ordinance shall take effect thirty (30) days from the date of final passage by the Board of Supervisors.

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