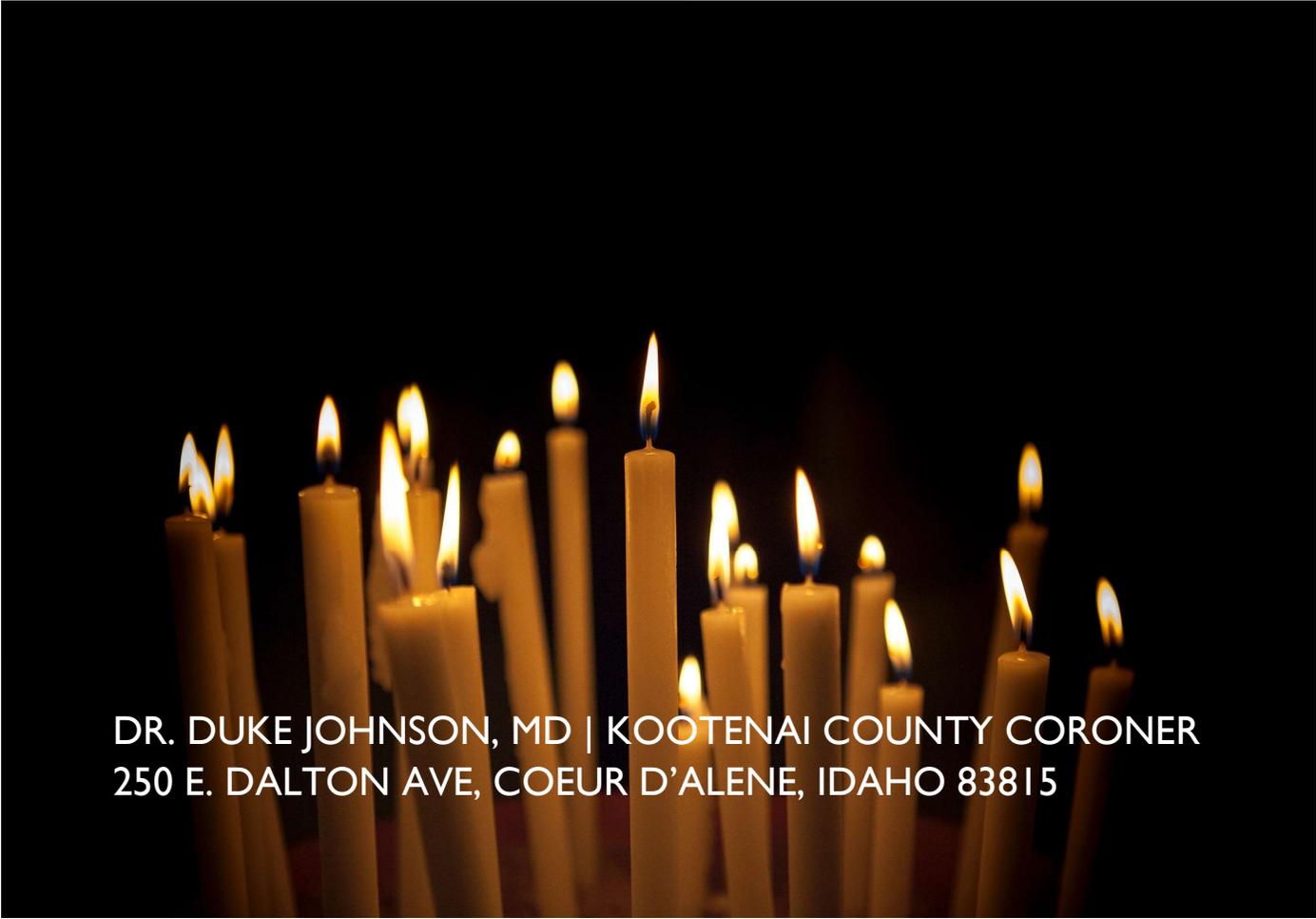


KOOTENAI COUNTY CORONER'S OFFICE

2022 ANNUAL REPORT

A photograph of several lit white candles against a dark background. The candles are of various heights and are lit, with their flames glowing yellow and orange. The background is a solid black rectangle.

DR. DUKE JOHNSON, MD | KOOTENAI COUNTY CORONER
250 E. DALTON AVE, COEUR D'ALENE, IDAHO 83815

THE KOOTENAI COUNTY CORONER'S OFFICE

The Kootenai County Coroner's Office (KCCO) supports, protects, and advocates for the living through one of the most difficult situations imaginable: an unexpected, unnatural, or unexplained death. On behalf of the deceased, we investigate what happened and safeguard you, your loved one, and the evidence so we can provide the answers you need to process through what comes next.

Using scientific skills and critical analysis, the KCCO answers these vital questions: Who died? When and where did they die? Most importantly, how did they come by their death? And finally, what do the remaining loved ones do now?

The work we do to discover these answers is a weighty responsibility requiring significant levels of empathy as well as public and professional trust and expertise. Not only are we often the initial buffer for grief, but we're also investigators, analysts, diagnosticians, public health workers, first responders, last responders, educators, coordinators, facilitators, and much more, all within a diverse community of private individuals and public professionals.

In the eventuality of a group or mass fatality event – which with our current capacity would be any event that results in 5 or more deaths – it's vital that we effectively coordinate first responders, all law enforcement, transport, other agencies, and regional coroners; identify the decedents as quickly as possible; preserve evidence; navigate a complex set of demands; and communicate clearly and confidently throughout.

The KCCO Coroner is an elected position in Kootenai County and works with the Chief Deputy Coroner and four Deputy Coroners to serve Kootenai County. The citizens of the County fund the KCCO through the Kootenai County Board of County Commissioners (BOCC). The 2022 estimate population of Kootenai County was 183,578 and covers a geographical area of approximately 1316 square miles.

The KCCO operates within the highest standards, and partners with Spokane County Medical Examiner's Office, who is proudly accredited by the National Association of Medical Examiners (NAME). Our Office has also initiated high-standard accreditation through the International Association of Coroners and Medical Examiners (IACME), and we anticipate receiving that award in 2023. Although the National Commission of Forensic Science (2016) had recommended that all counties in the US be accredited with this additional high standard by 2020, only 41 out of 2,040 county coroner or medical examiner offices in the United States have done so. It is anticipated that Kootenai County will be the 42nd!

We desire to be a leader in this field, supporting all the surrounding counties in North Idaho when called upon. We are grateful to serve the communities of Kootenai County and the surrounding areas with compassion, dedication, excellence, skill, and professionalism.

Coroner Dr. Duke Johnson, M.D., D-ABMDI

MISSION STATEMENT

The mission of the Coroner's Office is to conduct professional Medico-legal death investigations in an accurate and timely manner by determining cause of death and manner of death, positively identifying decedents, notifying next of kin, and protecting the decedent's property. KCCO strives to provide every individual in need of our services with factual direction, professionalism, commitment and care. We will accomplish our mission by providing our Administrative services, Forensic services, and Investigative services to the very best of our ability, offering guidance and assistance to those who are in need.

VISION STATEMENT

To be a leader in providing compassionate, expert, and efficient assistance to the community of Kootenai County, in addition to other North Idaho counties in which we serve. For each department of the KCCO to complete their duties and provide every decedent with the dedication, accuracy, and compassion that they deserve.

OFFICE INFORMATION

It shall be the duty of the KCCO to determine and certify the cause and manner of death for cases which fall under our jurisdiction as stated above, including death resulting from natural causes, accidental death, homicide, suicide, as well as those deemed undetermined.

As northern Idaho communities continue to develop and grow, so does the role of the KCCO. The Coroner's office is well positioned to continue its tradition of providing the absolute highest standards of Medicolegal Death Investigation to the people of Kootenai County, while still remaining an active partner in the community in which they serve. An obligation rests with each staff member to render honest, efficient, courteous and discrete service on behalf of this office to the community.

Idaho is a Coroner state, which means that the Coroner position is elected. The Kootenai County Coroner's Office (KCCO) was established in 1932 and approved by the Idaho Constitution in 1986. Dr. Duke Johnson, M.D. is the current Kootenai County Coroner, elected in 2022. Coroner Johnson was sworn in to serve a four-year term in January, 2023.

The work of the KCCO would not be possible without the dedication, expertise, and professionalism of every employee who works for this Office in Coeur d'Alene, Idaho.

| | |
|---|----------------------------------|
| <i>CORONER (ELECTED):</i> | <i>Dr. Duke Johnson, M.D.</i> |
| <i>CHIEF DEPUTY CORONER INVESTIGATOR:</i> | <i>Lynn Acebedo</i> |
| <i>DEPUTY CORONER INVESTIGATOR:</i> | <i>John Hunt (part-time)</i> |
| <i>DEPUTY CORONER INVESTIGATOR:</i> | <i>JoAnn Porter</i> |
| <i>DEPUTY CORONER INVESTIGATOR:</i> | <i>Chris Schenck (part-time)</i> |
| <i>DEPUTY CORONER INVESTIGATOR:</i> | <i>Eric Kiehl (part-time)</i> |

The KCCO is currently located in a portion of the building at 250 East Dalton Avenue in Dalton Gardens, Idaho, 83815. The office mailing address is PO Box 9000, Coeur d'Alene, Idaho 83814.

Phone: 208-446-2199

Email: coroner@kcgov.us

Website: www.kcgov.us/241/Coroner

OFFICE DESCRIPTION

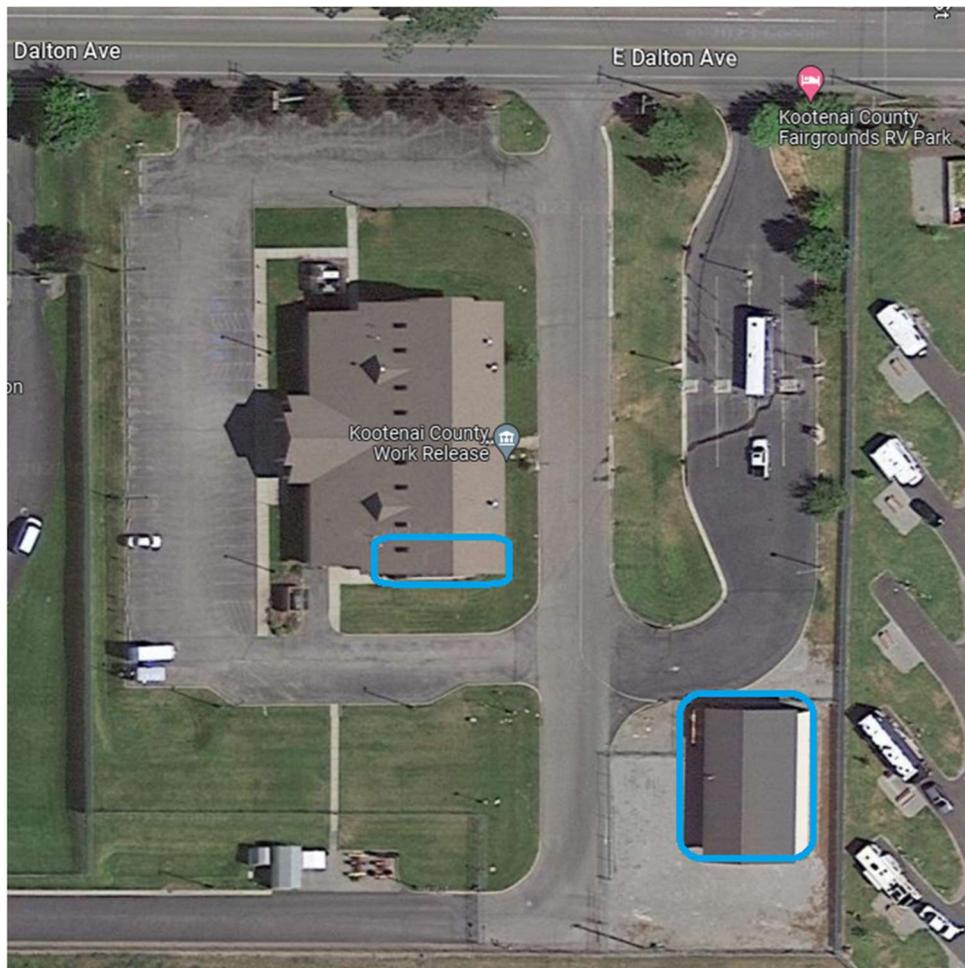
The Kootenai County Coroner's Office was established with a jurisdiction coextensive with the boundaries within Kootenai County Idaho.

The KCCO actively supports and is certified with the American Board of Medical Death Investigation (ABMDI), which is a voluntary, national, not-for-profit, and independent professional certification board. ABMDI was established to promote the highest standards of practice for Medicolegal Death Investigators. This office is also accredited through the International Association of Coroners & Medical Examiners (IACME). The KCCO will continue to mandate education and testing for all new investigative staff, as well as current staff members.

FY2022 BUDGET

The KCCO reports to the Kootenai County Board of Commissioners (KCBOCC) and is operating on an FY2023 budget of \$619,396.00. These funds are based on anticipated per capita property tax contributions as set by the KCBOCC and other revenues from services provided by the KCCO.

The KCBOCC mandates Kootenai County, under a general line-item model. Each county office/department has a set budget that is brought before the BOCC and approved on an annual basis. This model allows Kootenai County to see exactly where money is going and how it is spent, and keeps the budget within the ceiling of revenues.



FACILITIES

The KCCO is currently housed in a portion of a Sheriff's Office building at 250 East Dalton Ave in Dalton Gardens (noted in blue in the center of the picture above). The building was previously used as a detention facility and most recently for work release services, but it is mostly empty at this time. While an expansion on our previous location, the space occupied by the KCCO is currently lacking in sorely needed accommodations. We have addressed several security and privacy access issues, but there are a few more that need to be considered. We are also in need of additional secure storage space and a discreet area to meet with families and others related to the deceased.

We are also in great need of refrigeration for body storage, particularly in the case of an emergency or mass fatality situation in North Idaho. Currently, due to our agreement with the Spokane Medical Examiner’s Office, who provides all of our morgue and autopsy services, any situation that results in more than 5 fatalities at once will be considered a “mass fatality”.

SUPPORT SERVICES

In addition to the services provided by the Kootenai County Coroner’s Office, we also rely on other agencies and entities to provide additional services and support.

| | |
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| <i>Morgue Facilities/Autopsy Services:</i> | <i>Spokane Medical Examiner’s Office</i> |
| <i>CT Scan Facilities:</i> | <i>NW Specialty Hospital</i> |
| <i>Toxicology Facilities:</i> | <i>NMS Labs</i> |
| <i>Forensic Science Lab:</i> | <i>Idaho State Crime Lab</i> |
| <i>Forensic Dentistry:</i> | <i>Dr. Lee Coppess, Odontologist</i> |
| <i>Anthropology:</i> | <i>Idaho State Crime Lab</i> |
| <i>DNA Analysis:</i> | <i>Idaho State Crime Lab</i> |
| <i>Fingerprint Comparison:</i> | <i>FBI</i> |
| <i>Body Transport:</i> | <i>Bell Tower Funeral Home</i> |

EDUCATION AND PARTNERSHIPS

The KCCO seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels, and legal mandates.

SPAN of North Idaho (Suicide Action Prevention Network) – Our office meets with this board once a month to discuss current trends, statistics, and training opportunities as well as many volunteer opportunities within the community.

Inland Northwest SIDS/SUID Foundation (Safe Start) – This office in conjunction with the Inland Northwest SIDS/SUID Foundation discusses current trends and statistics as well as many training opportunities within the community.

CIT- Crisis Intervention Team – The purpose of this team is to collaborate with all Law Enforcement Agencies as well as other community agencies to provide information regarding a possible vulnerable population within the county.

POLICY AND PROCEDURE MANUAL

A Policy and Procedure Manual is maintained by the Kootenai County Coroner’s Office (KCCO), both physically and electronically, with updates completed as needed throughout the year. The manual is always available to staff.

ANNUAL STATISTICS

Of the deaths occurring within Kootenai County in 2022, there were 1,802 deaths reported to the Kootenai County Coroner's Office by hospitals, dispatch, and others. Since Kootenai County is a regional hub for healthcare, business, and recreational events, some deaths occurring in Kootenai County, and therefore investigated by this office, are cases where the decedent lived in a different county within Idaho, different state, or different country.

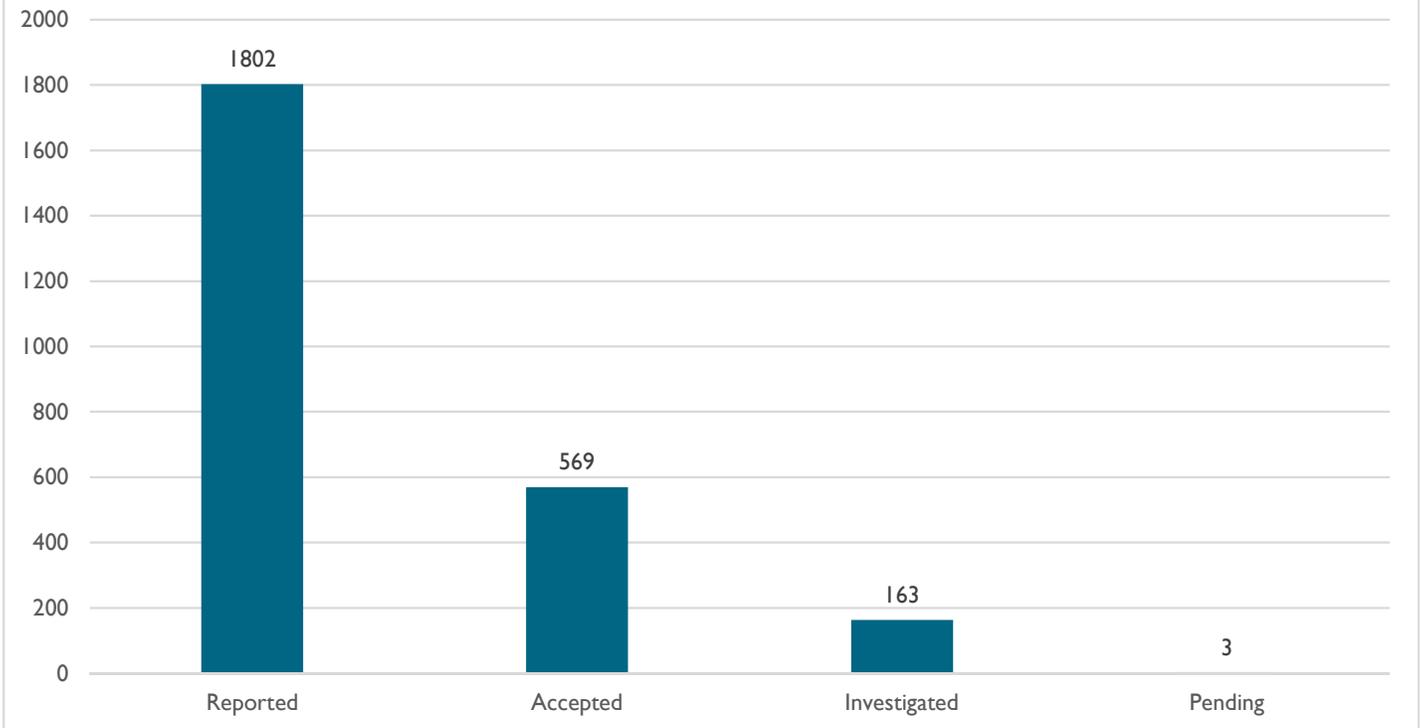
Of these reported deaths in 2022, Medicolegal Death Investigators accepted 569 cases and on-scene investigated 163. Of these deaths, 54 resulted in full autopsies. Toxicology was completed on 123 cases. The KCCO had one (1) unidentified decedent case in 2022.

These procedures and investigations determined that there were 4 homicides, 46 suicides, 112 accidental deaths, 1631 natural deaths, 1 undetermined death, and 3 deaths are pending determination.

The KCCO has staff on duty 24/7 to serve our county and community. Cases are reported to the KCCO by law enforcement dispatch, hospitals, nursing homes, funeral homes, hospice providers, attending physicians, and individuals. Staff respond and the reports are logged into the MDILog system, whether investigated or not.

The KCCO uses the morgue services of the Spokane County Medical Examiner's Office (SCMEO) in the absence of morgue and autopsy facilities in Kootenai County. The SCMEO has worked to provide access to a room in their facility where tissue donation can take place, and in 2022 they finalized agreements with area donation agencies for use of this room. This has allowed them to honor decedent and family wishes for tissue donations in cases which would otherwise have been unable to proceed.

DEATHS REPORTED TO KOOTENAI COUNTY 2022



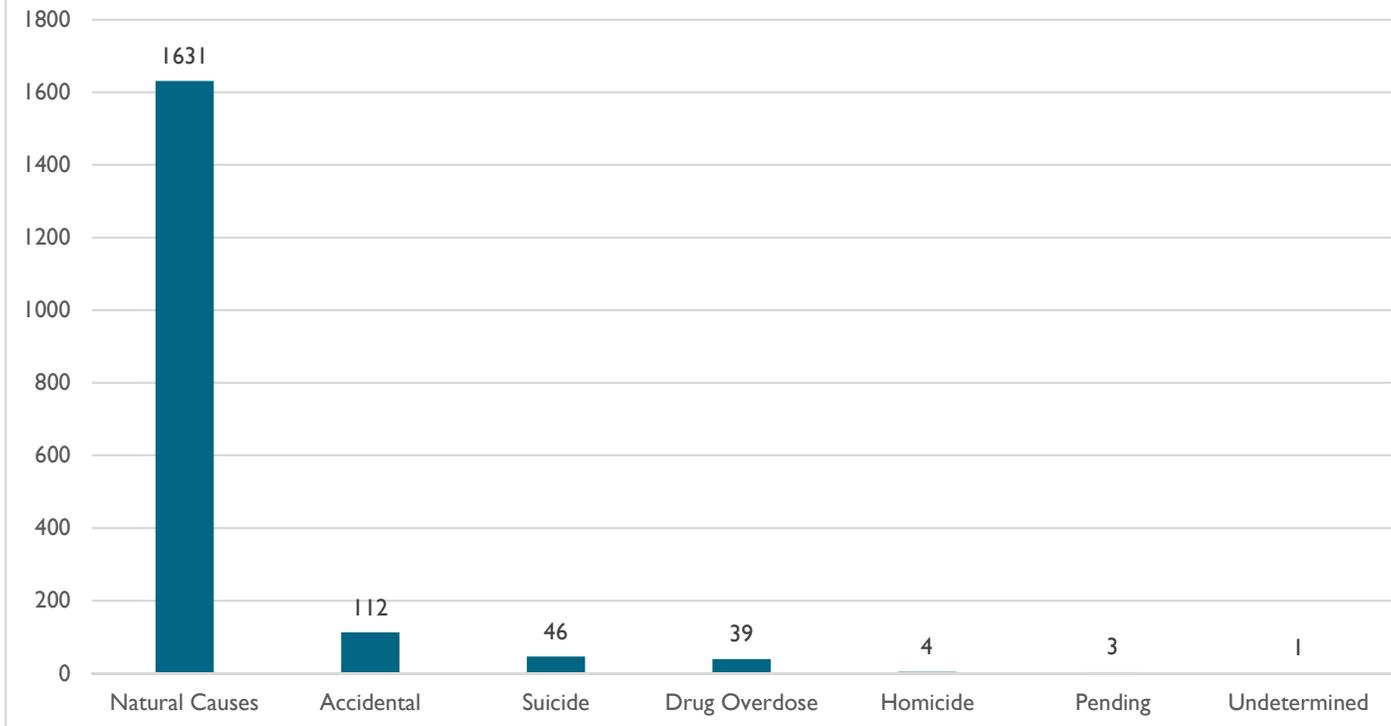
COMMENTS AND NOTES

Kootenai County experienced a decrease in the number of deaths reported in 2022.

Of the investigated cases, 53 received autopsies and 121 received toxicology labs. KCCO does not order any partial autopsies. All autopsies are performed in partnership with the Spokane County Medical Examiner's Office.

The KCCO uses a third party for body transport and morgue services. (See page 5 for details.)

2022 KCCO DETERMINED MANNERS OF DEATH



COMMENTS AND NOTES

Kootenai County experienced a decrease in the number of investigated deaths in 2022.

COVID-related deaths are included in natural deaths and are reviewed through the decedent's medical records. Natural manner of death cases represent those cases that were reported to and investigated by the Kootenai County Coroner's Office due to an initial concern for non-natural death but were ultimately found to be natural deaths after investigation. This number does not represent all natural deaths within Kootenai County.

Accidental deaths include 21 motor vehicle-related accidental deaths.

Undetermined deaths represent a manner of death generally due to a combination of factors where the manner, such as suicide versus accident, cannot be clearly attributed to one or the other. For example, a set of human remains found in the woods without any obvious signs of trauma would be considered undetermined. This case was also unidentified remains.

There were eight (8) cases that resulted in unclaimed remains in 2022.

Pending deaths represent those cases where the investigation into cause and manner of death is ongoing.

The KCCO didn't exhume any bodies in 2022.

IDAHO CORONER STATUTES

To rightfully understand the duties and responsibilities of the KCCO, the Idaho State Coroner Statutes are provided below.

Id. Const. Art XVIII, § 6. COUNTY OFFICERS

The legislature by general and uniform laws shall, commencing with the general election in 1986, provide for the election biennially, in each of the several; counties of the state, of the county commissioners and for the election of a sheriff, a county assessor, **a county coroner**, and a county treasurer, who is ex-officio public administrator, every four years in each of the several counties of the state. All taxes shall be collected by the officer or officers designated by law. The clerk of the district court shall be ex-facto auditor and recorder. No other county offices shall be established, but the legislature by general and uniform laws shall provide for such township, precinct and municipal officers as public convenience may require and shall prescribe their duties and fix their terms of office. The legislature shall provide for the strict accountability of county, township, precinct and municipal officers for all fees which may be collected by them and for all public and municipal moneys which may be paid to them, or officially come into their possession. The county commissioners may employ counsel when necessary. The sheriff, county assessor, county treasurer and ex-officio tax collector, auditor, recorder and clerk of the district court shall be empowered by the county commissioners to appoint such deputies and clerical assistants as the business of their office may require, said deputies and clerical assistants to receive such compensation as may be fixed by the county commissioners.

IDAHO CODE

Idaho Code §2-106. JURY OF INQUEST DEFINED. A jury of inquest is a body of men or women, or both, summoned from the citizens of a particular county, before the sheriff, **coroner**, or other ministerial officer to inquire of particular facts.

Idaho Code § 9-430I. COUNTY CORONER TO INVESTIGATE DEATHS.

- 1) When a county coroner is informed that a person has died, the county Coroner shall investigate the death if:
 - a) The death occurred as a result of violence, whether apparently by homicide, suicide or by accident;
 - b) The death occurred under suspicion or unknown circumstances; or
 - c) The death is of a stillborn child or any child if there is a reasonable articulable suspicion to believe that the death occurred without a known medical disease to account for the stillbirth or child's death.
- 2) If a death occurs that is not attended by a physician and the cause of death cannot be certified by a physician, the coroner must refer the investigation of the death to the sheriff of the county or the chief of police of the city in which the incident causing the death occurs or, if such county or city is unknown to the sheriff or chief of police of the county or city where the body was found. The investigation shall be the responsibility of the sheriff or chief of police. Upon the completing of the investigation, a written report shall be provided to the coroner of the county in which the death occurred or if such county is unknown, to the coroner of the county where the body is found.
- 3) A coroner in the county where the incident causing the death occurred or if such county is unknown, the coroner in the county where the body was found may conduct an inquest if there are reasonable grounds

to believe as a result of the investigation that the death occurred as provided in subsection (1) of this section.

- 4) If an inquest is to be conducted, the coroner shall summon six (6) persons qualified by law to serve as jurors for the inquest.
- 5) Nothing in this section shall be construed to affect the tenets of any church or religious beliefs.

Idaho Code § 19-4301A. DEATHS TO BE REPORTED TO LAW ENFORCEMENT OFFICIALS AND CORONER.

- 1) Where any death occurs which would be subject to investigation by the coroner under section 19-4301(1), Idaho Code, the person who finds or has custody of the body shall promptly notify the appropriate Law Enforcement agency, or a Law Enforcement officer or agency, which shall notify the coroner. Pending arrival of a Law Enforcement officer, the person finding or having custody of the body shall take reasonable precautions to preserve the body and body fluids and the scene of the event shall not be disturbed by anyone until authorization is given by the Law Enforcement conducting the investigation.
- 2) Except as otherwise provided in subsection (3) of this section, any person who fails to notify the coroner or Law Enforcement pursuant to subsection (1) of this section shall be guilty of a misdemeanor and shall be punished by up to one (1) year in the county jail or by a fine not to exceed one thousand dollars (\$1000), or by both such imprisonment and fine.
- 3) Any person who, with the intent to prevent discovery of the manner of death, fails to notify or delays notification to the coroner or the Law Enforcement pursuant to subsection (1) of this sections, shall be guilty of a felony and shall be punished by imprisonment in the state prison for a term not to exceed ten (10) years or by a fine not to exceed fifty thousand (\$50,000) or by both such fine and imprisonment.

Idaho Code § 19-4301B. PREFORMANCE OF AUTOPSIES. The coroner may in the performance of his duties, under this chapter, summon a person authorized to practice medicine and surgery in the state of Idaho to inspect the body and give a professional opinion as to the cause of death. The coroner or prosecuting attorney may order an autopsy performed if it is deemed necessary, accurately and scientifically to determine the cause of death. When an autopsy has been performed, pursuant to an order of a coroner or a prosecuting attorney, no cause of action shall lie against any person, form or corporation for participating in or requesting such autopsy.

Idaho Code § 19-4301C. RELEASE OF BODY. Where a body is held for investigation or autopsy under this act, the coroner shall, if requested by next of kin, release the body for funeral preparation not later than 24 hours after death or discovery of the body, whichever is later. Any district judge may ex parte order the 24 hour period extended upon showing a reasonable cause by the prosecuting attorney by petition supported by affidavit.

Idaho Code § 19-4301D. CORONER TO MAKE REPORTS. When the cause and manner of death is established under the provisions of this chapter the coroner shall make and file a written report of the material facts concerning the cause and manner of death in the office of the clerk of the district court. The coroner shall promptly deliver to the prosecuting attorney each county having criminal jurisdiction over the case copies of all records relating to every death as to which further investigation may be advisable. Any prosecuting attorney or other Law Enforcement official may upon request secure copies of the original of such records or other documents or pertinent objects or information deemed necessary by him to the performance of his official duties.

Idaho Code § 19-4302. JURORS TO BE SWORN. When six (6) or more jurors attend, they must be sworn by the coroner to inquire who the person was, and when, where and by what means he came to his death, and into the circumstances attending his death and to render a true verdict thereon, according to the evidence offered them.

Idaho Code § 19-4303. EXAMINATION OF WITNESSES. Coroners may issue subpoenas for witnesses, returnable forthwith, or at such time and place as they may appoint, which may be served by any competent person. They must summon and examine as witnesses every person who, in their opinion, or that of any of the jury, or the prosecuting attorney, has any knowledge of the facts.

Idaho Code § 19-4304. COMPELLING ATTENDANCE OF WITNESSES. A witness served with a subpoena may be compelled to attend and testify, or punished by the coroner for disobedience, in like manner as upon a subpoena issued by a justice of the peace.

Idaho Code § 19-4305. VERDICT OF JURY. After hearing the testimony, the jury must render their verdict and certify the same by an inquisition in writing, signed by them and setting forth who the person killed is, and, when, where and by what means he came to his death; and if he was killed, or his death occasioned by the act of another, by criminal means, who is guilty thereof.

Idaho Code § 19-4306. Reduction of testimony to writing. The testimony of the witnesses examined before the coroner's jury must be reduced to writing by the coroner or under his direction and forthwith filed by him with the inquisition, in the office of the clerk of the district court of the county.

Idaho Code § 19-4307. TRANSMISSION of testimony to magistrate. If, however, the person charged with the commission of the offense is arrested before the inquisition can be filed, the coroner must deliver the same, with the testimony taken, to the magistrate before whom such person may be brought, who must return the same, with the depositions and statement taken before him, to the office of the clerk of the district court of the county.

Idaho Code § 19-4308. WARRANT for arrest of accused. If the jury find that the person was killed by another, under circumstances not excusable or justifiable by law, or that his death was occasioned by the act of another by criminal means and the party committing the act is ascertained by the inquisition and is not in custody, the coroner must issue a warrant, signed by him, with his name of office, into one (1) or more counties, as may be necessary, for the arrest of the person charged.

Idaho Code § 19-4309. FORM of warrant. The coroner's warrant must be in substantially the following form:

County of

The state of Idaho, to any sheriff, constable, marshal, or policeman in this state:

An inquisition having been this day found by a coroner's jury before me, stating that A.B. has come to his death by the act of C.D., by criminal means (or as the case may be, as found by the inquisition), you are therefore commanded forthwith to arrest the above named C.D., and take him before the nearest or most accessible magistrate in this county.

Given under my hand this day of,

E.F., Coroner of the County of

Idaho Code § 19-4310. SERVICE of warrant. The coroner's warrant may be served in any county and the officer serving it must proceed thereon, in all respects, as upon a warrant of arrest on an information before a magistrate; when served in another county it need not be indorsed by a magistrate of that county.

Idaho Code § 31-2117. DISPOSAL OF MONEY OR PROPERTY FOUND ON DEAD BODY. The coroner or other public official must notify the county treasurer, within forty-eight (48) hours of knowledge of a death, of money or other property found on or with a dead body. The treasurer, upon receiving such funds must deposit them to the credit of the county. On receiving other property in a like manner he must, within thirty (30) days, sell it at public auction upon reasonable public notice, and must in like manner deposit the proceeds to the credit of the county.

Idaho Code §31-2118. MONEY FOUND ON DEAD BODIES -- DEMAND BY LEGAL REPRESENTATIVES. If the money in the treasury is demanded within six (6) years by the legal representatives of the decedent, the treasurer must pay it to them, after deducting the fees and expenses of the coroner and of the county in relation to the matter, or the same may be so paid at any time thereafter upon the order of the board of commissioners.

Idaho Code § 31-2801. INQUESTS. The coroner must hold inquests as prescribed in the Penal Code.

Idaho Code § 31-2802. BURIAL OF UNCLAIMED BODIES. When no person takes charge of a body of the deceased, the coroner must cause the body to be decently interred; and if there is not sufficient property belonging to the estate of the deceased to pay the necessary expenses of the burial, the expenses are a legal charge against the county.

Idaho Code §31-2803. DISPOSAL OF PROPERTY FOUND ON CORPSE. The coroner must within thirty (30) days after an inquest upon a dead body, deliver to the county treasurer or the legal representatives of the deceased, any money or property found upon the body.

Idaho Code § 31-2804. VERIFIED STATEMENTS REQUIRED OF CORONER. Before auditing or allowing the accounts of the coroner, the commissioners must require him to file with the clerk of the board a statement in writing, verified by his affidavit , showing;

- 1. The amount of money or other property belonging to the estate of a deceased person which has come into his possession since his last statement.*
- 2. The disposition made of such property.*

Idaho Code § 31-2808. MAKING FINAL DISPOSITION OF DEAD HUMAN BODIES PROHIBITED. No coroner or person acting as coroner who is a licensed funeral director or a licensed mortician, owner, proprietor or employee of any establishment engaged in making final disposition of dead human bodies and no establishment with which such coroner or person acting as coroner is associated, shall, except for ambulance services, perform any of the services of a funeral director or mortician or furnish any materials connected with or incidental to the final disposition of the body of any person whose death is required by law to be investigated by such coroner or other person acting in that capacity. Any person who violates this section shall be guilty of a misdemeanor. Provided, however, that the provisions of this section shall not be applicable in counties wherein there is only one (1) licensed funeral establishment.

Idaho Code § 31-2809. CORONER MAY APPOINT DEPUTIES. A coroner may appoint a deputy or deputies as he deems necessary. Deputy coroners shall be paid at a rate fixed by the county commissioners.

Idaho Code § 31-3412. INDIGENT BURIAL. It shall be the duty of the board to provide for burial or cremation of any deceased indigent person. The amount paid by the obligated county shall not in any case exceed the established or negotiated rate set by each board. If the coroner, mortician or other responsible parties are unable to establish next of kin or other resources, they may make application to the board. Application must be made prior to services rendered and pursuant to terms of negotiated agreements. The county shall be free from any liability for said burial or cremation.

Idaho Code § 39-260. REGISTRATION OF DEATHS AND STILLBIRTHS.

1) A certificate of each death which occurs in this state shall be filed with the local registrar of the district in which the death occurs, or as otherwise directed by the state registrar, within five (5) days after the occurrence. However, the board shall, by rule and upon such conditions as it may prescribe to assure compliance with the purposes of the vital statistics act, provide for the filing of death certificates without medical certifications of cause of death in cases in which compliance with the applicable prescribed period would result in undue hardship; but provided, however, that medical certifications of cause of death shall be provided by the certifying physician, physician assistant, advanced practice registered nurse or coroner to the vital statistics unit within fifteen (15) days from the filing of the death certificate. No certificate shall be deemed complete until every item of information required shall have been provided or its omission satisfactorily accounted for. When death occurs in a moving conveyance in the United States and the body is first removed from the conveyance in this state, the death shall be registered in this state and the place where the body is first removed shall be considered the place of death. When a death occurs on a moving conveyance while in international airspace or in a foreign country or its airspace and the body is first removed from the conveyance in this state, the death shall be registered in this state but the certificate shall show the actual place of death insofar as can be determined. If the place of death is unknown but the dead body is found in this state, the certificate of death shall be completed and filed in accordance with this section. The place where the body is found shall be shown as the place of death. If the date of death is unknown, it shall be determined by approximation.

The person in charge of interment or of removal of the body from the district shall be responsible for obtaining and filing the certificate. Said person shall obtain the required information from the following persons, over their respective signatures:

- a) Personal data shall be supplied by the person best qualified to supply them; and
- b) Except as otherwise provided, medical data shall be supplied by the physician, physician assistant or advanced practice registered nurse who attended the deceased during the last illness, who shall certify to the cause of death according to his best knowledge, information and belief within seventy-two (72) hours from time of death. In the absence of the attending physician, physician assistant or advanced practice registered nurse or with said person's approval the certificate may be completed and signed by said person's associate, who must be a physician, physician assistant or advanced practice registered nurse, the chief medical officer of the institution in which death occurred, or the physician who performed an autopsy upon the decedent, provided such individual has access to the medical history of the case, views the deceased at or after death and death is due to natural causes.

- 2) The person in charge of interment or of removal of the body from the district shall refer the following cases to the coroner who shall make an immediate investigation, supply the necessary medical data and certify to the cause of death:
 - a) When no physician, physician assistant or advanced practice registered nurse was in attendance during the last illness of the deceased;
 - b) When the circumstances suggest that the death occurred as a result of other than natural causes; or
 - c) When death is due to natural causes and the physician, physician assistant or advanced practice registered nurse who attended the deceased during the last illness or said person's designated associate who must be a physician, physician assistant or advanced practice registered nurse, is not available or is physically incapable of signing.
- 3) When a death is presumed to have occurred within this state but the body cannot be located, a death certificate may be prepared by the state registrar upon receipt of an order of a court of record of this state, which shall include the finding of facts required to complete the death certificate. Such a death certificate shall be marked "presumptive" and shall show on its face the date of registration and shall identify the court and the date of decree.
- 4) Each stillbirth, defined as a spontaneous fetal death of twenty (20) completed weeks gestation or more, based on a clinical estimate of gestation, or a weight of three hundred fifty (350) grams (twelve and thirty-five hundredths (12.35) ounces) or more, which occurs in this state shall be registered on a certificate of stillbirth within five (5) days after delivery with the local registrar of the district in which the stillbirth occurred. All induced terminations of pregnancy shall be reported in the manner prescribed in section 39-261, Idaho Code, and shall not be reported as stillbirths. No certificate shall be deemed complete until every item of information required shall have been provided or its omission satisfactorily accounted for.
 - a) When a stillbirth occurs in an institution, the person in charge of the institution or a designated representative shall prepare the certificate, obtain the signature of the physician, physician assistant or advanced practice registered nurse in attendance, except as otherwise provided in subsection (5) of this section, who shall provide the medical data, and forward the certificate to the mortician or person acting as such. In the absence of the attending physician, physician assistant or advanced practice registered nurse or with said person's approval the certificate may be completed and signed by said person's associate, who must be a physician, physician's assistant or advanced practice registered nurse, the chief medical officer of the institution in which the stillbirth occurred, or the physician who performed an autopsy on the stillborn fetus, provided such individual has access to the medical history of the case and views the fetus at or after stillbirth. The mortician or person acting as such shall provide the disposition information and file the certificate with the local registrar.
 - b) When a stillbirth occurs outside an institution, the mortician or person acting as such shall complete the certificate, obtain the medical data from and signature of the attendant at the stillbirth, except as otherwise provided in subsection (5) of this section, and file the certificate. If the attendant at or immediately after the stillbirth is not a physician, physician assistant or advanced practice registered nurse, the coroner shall investigate and sign the certificate of stillbirth.
 - c) When a stillbirth occurs in a moving conveyance in the United States and the stillborn fetus is first removed from the conveyance in this state, the stillbirth shall be registered in this state and the

place where the stillborn fetus is first removed shall be considered the place of stillbirth. When a stillbirth occurs in a moving conveyance while in international airspace or in a foreign country or its airspace and the stillborn fetus is first removed from the conveyance in this state, the stillbirth shall be registered in this state but the certificate shall show the actual place of stillbirth insofar as can be determined.

- d) When a stillborn fetus is found in this state and the place of stillbirth is unknown, it shall be reported in this state. The place where the stillborn fetus was found shall be considered the place of stillbirth.
 - e) The name of the father shall be entered on the certificate of stillbirth as provided by section 39-255, Idaho Code.
- 5) The person responsible for the preparation or completion of the stillbirth certificate as stated in subsection (4) (a) and (b) of this section shall refer the following cases to the coroner who shall make an immediate investigation, supply the necessary medical data and certify to the cause of stillbirth:
- a) When the circumstances suggest that the stillbirth occurred as a result of other than natural causes, excepting legally induced abortions, as defined by section 39-241, Idaho Code; or
 - b) When death is due to natural causes and the physician, physician assistant or advanced practice registered nurse in attendance at or immediately after the stillbirth or said person's designated associate is not available or is physically incapable of signing.

Idaho Code § 39-268. AUTHORIZATION FOR FINAL DISPOSITION.

- 1) The mortician or person acting as such who first assumes possession of a dead body or stillborn fetus shall make a written report to the registrar of the district in which death or stillbirth occurred or in which the body or stillborn fetus was found within twenty-four (24) hours after taking possession of the body or stillborn fetus, on a form prescribed and furnished by the state registrar and in accordance with rules promulgated by the board. Except as specified in subsection (2) of this section, the written report shall serve as permit to transport, bury or entomb the body or stillborn fetus within this state, provided that the mortician or person acting as such shall certify that the physician, physician assistant or advanced practice registered nurse in charge of the patient's care for the illness or condition which resulted in death or stillbirth has been contacted and has affirmatively stated that said physician, physician assistant or advanced practice registered nurse or the designated associate according to section 39-260(1)(b) or (4)(a), Idaho Code, will sign the certificate of death or stillbirth. (2) The written report as specified in subsection (1) of this section shall not serve as a permit to:
- a) Remove a body or stillborn fetus from this state;
 - b) Cremate the body or stillborn fetus; or
 - c) Make disposal or disposition of anybody or stillborn fetus in any manner when inquiry is required under chapter 43, title 19, Idaho Code, or section 39-260(2) or (5), Idaho Code.
- 2) In accordance with the provisions of subsection (2) of this section, the mortician or person acting as such who first assumes possession of a dead body or stillborn fetus shall obtain an authorization for final disposition prior to final disposal or removal from the state of the body or stillborn fetus. The physician, physician assistant, advanced practice registered nurse or coroner responsible for signing the death or stillbirth certificate shall authorize final disposition of the body or stillborn fetus, on a form prescribed and

furnished by the state registrar. If the body is to be cremated, the coroner must also give additional authorization. In the case of stillbirths, the hospital may dispose of the stillborn fetus if the parent(s) so requests; authorization from the coroner is not necessary unless the coroner is responsible for signing the certificate of stillbirth.

- 3) When a dead body or stillborn fetus is transported into the state, a permit issued in accordance with the law of the state in which the death or stillbirth occurred or in which the body or stillborn fetus was found shall authorize the transportation and final disposition within the state of Idaho.
- 4) A permit for disposal shall not be required in the case of a dead fetus of less than twenty (20) weeks gestation and less than three hundred fifty (350) grams or twelve and thirty-five hundredths (12.35) ounces where disposal of the fetal remains is made within the institution where the delivery of the dead fetus occurred.

Idaho Code § 39-269. DISINTERMENT -- RULES. No body or stillborn fetus shall be disinterred within the state of Idaho except upon a permit granted by the state registrar of vital statistics. The forms of disinterment permits shall be prepared by the state registrar. Disinterment and removal must be done under the personal supervision of a licensed mortician, and only upon verified application of the person or persons having the highest authority under the provisions of section 54-1142, Idaho Code. Only such persons as are actually necessary shall be present. The coffin shall not be opened either at place of disinterment or place of destination, except special permit be issued by the state registrar. And in case of disinterment of bodies dead by reason of contagious and infectious diseases, as shown by the certificate of death given by the certifying physician or coroner, the sexton and all other persons engaged in such removal or being present shall immediately thereafter change and disinfect their clothing and properly disinfect their hands, head and face, provided, that such disinterment may also be governed by rules promulgated by the state board of health and welfare and a synopsis of the same shall be printed on the back of every permit. In case of any contagious and infectious disease where remains are to be shipped to points in other states, permission must first be obtained from the state health officer of such state. The state registrar may also issue a special disinterment permit for legal purposes. This permit for legal purposes shall be granted only upon application of a prosecuting attorney, the attorney general of this state, or the coroner of the county in which the body is interred, stating therein such facts which make it evident to the state registrar that the ends of justice require that disinterment be permitted. Such special disinterment for legal purposes shall be governed by rules promulgated by the state board of health and welfare and a synopsis of the same shall be printed on the back of every such special disinterment permit for legal purposes. Bodies in a receiving vault when prepared by a licensed mortician shall not be regarded as disinterred bodies until after the expiration of thirty (30) days.

Idaho Code § 39-3405. MANNER OF MAKING ANATOMICAL GIFT BEFORE DONOR'S DEATH.

- 1) A donor may make an anatomical gift:
 - a) By authorizing a statement or symbol indicating that the donor has made an anatomical gift to be imprinted on the donor's driver's license or identification card;
 - b) In a will;
 - c) During a terminal illness or injury of the donor, by any form of communication addressed to at least two (2) adults, at least one (1) of whom is a disinterested witness; or
 - d) As provided in subsection (2) of this section.

- 2) A donor or other person authorized to make an anatomical gift under section 39-3404, Idaho Code, may make a gift by a donor card or other record signed by the donor or other person making the gift or by authorizing that a statement or symbol indicating that the donor has made an anatomical gift be included on a donor registry. If the donor or other person is physically unable to sign a record, the record may be signed by another individual at the direction of the donor or other person and must:
 - a) Be witnessed by at least two (2) adults, at least one (1) of whom is a disinterested witness, who have signed at the request of the donor or the other person; and
 - b) State that it has been signed and witnessed as provided in paragraph (a) of this subsection.
- 3) Revocation, suspension, expiration or cancellation of a driver's license or Identification card upon which an anatomical gift is indicated does not invalidate the gift.
- 4) An anatomical gift made by will takes effect upon the donor's death whether or not the will is probated. Invalidation of the will after the donor's death does not invalidate the gift.

Idaho Code § 39-3412. PERSONS THAT MAY RECEIVE ANATOMICAL GIFT – PURPOSE OF ANATOMICAL GIFT.

- 1) An anatomical gift may be made to the following persons named in the document of gift:
 - a) A hospital; accredited medical school, dental school, college, or university; organ procurement organization; or other appropriate person, for research or education;
 - b) Subject to subsection (2) of this section, an individual designated by the person making the anatomical gift if the individual is the recipient of the part;
 - c) An eye bank or tissue bank.
- 2) If an anatomical gift to an individual under subsection (1)(b) of this section cannot be transplanted into the individual, the part passes in accordance with subsection (7) of this section in the absence of an express, contrary indication by the person making the anatomical gift.
- 3) If an anatomical gift of one (1) or more specific parts or of all parts is made in a document of gift that does not name a person described in subsection (1) of this section but identifies the purpose for which an anatomical gift may be used, the following rules apply:
 - a) If the part is an eye and the gift is for the purpose of transplantation or therapy, the gift passes to the appropriate eye bank.
 - b) If the part is tissue and the gift is for the purpose of transplantation or therapy, the gift passes to the appropriate tissue bank.
 - c) If the part is an organ and the gift is for the purpose of transplantation or therapy, the gift passes to the appropriate organ procurement organization as custodian of the organ.
 - d) If the part is an organ, an eye, or tissue and the gift is for the purpose of research or education, the gift passes to the appropriate procurement organization.
- 4) For the purpose of subsection (3) of this section, if there is more than one (1) purpose of an anatomical gift set forth in the document of gift but the purposes are not set forth in any priority, the gift must be used for transplantation or therapy, if suitable. If the gift cannot be used for transplantation or therapy, the gift may be used for research or education.

- 5) If an anatomical gift of one (1) or more specific parts is made in a document of gift that does not name a person described in subsection (1) of this section and does not identify the purpose of the gift, the gift may be used only for transplantation or therapy, and the gift passes in accordance with subsection (7) of this section.
- 6) If a document of gift specifies only a general intent to make an anatomical gift by words such as "donor," "organ donor" or "body donor," or by a symbol or statement of similar import, the gift may be used only for transplantation or therapy, and the gift passes in accordance with subsection (7) of this section.
- 7) For purposes of subsections (2), (5) and (6) of this section, the following rules apply:
 - a) If the part is an eye, the gift passes to the appropriate eye bank.
 - b) If the part is tissue, the gift passes to the appropriate tissue bank.
 - c) If the part is an organ, the gift passes to the appropriate organ procurement organization as custodian of the organ.
- 8) An anatomical gift of an organ for transplantation or therapy, other than an anatomical gift under subsection (1)(b) of this section, passes to the organ procurement organization as custodian of the organ.
- 9) If an anatomical gift does not pass pursuant to subsections (1) through (8) of this section or the decedent's body or part is not used for transplantation, therapy, research or education, custody of the body or part passes to the person under obligation to dispose of the body or part.
- 10) A person may not accept an anatomical gift if the person knows that the gift was not effectively made under section 39-3405 or 39-3410, Idaho Code, or if the person knows that the decedent made a refusal under section 39-3407, Idaho Code, that was not revoked. For purposes of this subsection, if a person knows that an anatomical gift was made on a document of gift, the person is deemed to know of any amendment or revocation of the gift or any refusal to make an anatomical gift on the same document of gift.
- 11) Except as otherwise provided in subsection (1)(b) of this section, nothing in this chapter affects the allocation of organs for transplantation or therapy

Idaho Code § 49-1307. ACCIDENT REPORT FORMS.

- 1) The department shall prepare and upon request supply to police departments, coroners, sheriffs, garages, and other suitable agencies or individuals, forms for written accident reports required by this chapter, appropriate with respect to the persons required to make those reports and the purposes to be served. Written reports shall call for sufficiently detailed information to disclose with reference to a traffic accident the cause, conditions then existing, and the persons and vehicles involved.
- 2) Every accident report required to be made in writing shall be made on the appropriate form approved by the department, and shall contain all of the information required on the form unless not available.

Idaho Code § 49-1309. CORONERS TO REPORT. Every coroner or other official performing like functions shall, on or before the 10th day of each month, report in writing to the department the death of any person within his jurisdiction during the preceding calendar month as the result of a traffic accident, giving the time and place of the accident and the circumstances relating to it.

Idaho Code § 49-1314. TESTING BLOOD OF PERSONS KILLED IN ACCIDENTS.

- 1) The director of the Idaho state police, jointly with the various county coroners, shall provide a system and procedure whereby all coroners in Idaho shall obtain blood samples from all pedestrians and motor vehicle operators who have died as a result of and contemporaneously with an accident involving a motor vehicle.
- 2) All investigating peace officers shall report traffic fatalities to the county coroner or follow the procedure established by the joint action of the director of the Idaho state police and the various coroners.
- 3) The blood sample, or result of blood testing, with any information as may be required, shall be delivered to the director of the Idaho state police or his designee. Upon receipt of the sample the director will cause all tests as may be required to determine the amount of alcohol, narcotics and dangerous drugs that may be contained in the sample.
- 4) The results of such tests shall be used for statistical purposes and shall be subject to disclosure according to chapter 1, title 74, Idaho Code.