
By Mr. Wetmore, a petition (accompanied by bill, Senate, No. 530) of Robert D. Wetmore for legislation to amend the duties of the Committee on Medicolegal Investigations and the office of chief medical examiner. Health Care.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-two.

AN ACT AMENDING THE DUTIES OF THE COMMITTEE ON MEDICO-LEGAL INVESTIGATIONS AND THE OFFICE OF CHIEF MEDICAL EXAMINER.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 184 of chapter 6 of the General Laws,
2 as appearing in section 1 of chapter 941 of the acts of 1977,
3 is hereby amended by striking out the first two paragraphs
4 and inserting in place thereof the following two para-
5 graphs: —

6 There shall be a commission on medicolegal investigation,
7 hereinafter called the commission, to consist of the attorney
8 general, the commissioner of public safety, the commissioner
9 of public health, the dean of the medical school of the Univer-
10 sity of Massachusetts, or their designees, and eleven persons
11 to be appointed by the governor, one of whom shall be a rep-
12 resentative of the Massachusetts Medico-Legal Society, one of
13 whom shall be a representative of the Massachusetts Society
14 of Pathologists, one of whom shall be a physician licensed to
15 practice medicine in the commonwealth, one of whom shall
16 be an attorney licensed to practice law in the commonwealth,
17 one of whom shall be a professor of law licensed to practice
18 law in the commonwealth, one of whom shall be a funeral di-
19 rector licensed in the commonwealth, two of whom shall be dis-
20 trict attorneys in the commonwealth, one of whom shall be
21 chief of police of a city or town in the commonwealth, and two
22 representatives of the general public. Each appointed member

23 of the commission shall serve for a term of three years, or un-
24 til his successor is appointed and qualified, whichever is long-
25 er; provided, however, that no appointee shall serve more than
26 two consecutive terms. The members shall serve without com-
27 pensation, but shall be reimbursed for travel and other ex-
28 penses actually and necessarily incurred in the discharge of
29 their duties. Said commission shall meet at least twice each
30 year. The governor shall appoint a chairman and said com-
31 mission shall elect a vice chairman annually. The chief medi-
32 cal examiner, appointed pursuant to section one B of chapter
33 thirty-eight, shall be secretary to the commission. Meetings
34 may be called by the chairman, vice chairman, secretary, or
35 any four members. A quorum for the transaction of business
36 shall be eight members.

37 Said commission shall adopt such rules and regulations as
38 are necessary or appropriate to effectively carry out the pro-
39 gram of medicolegal investigation in the commonwealth un-
40 der the provisions of chapter thirty-eight, including qualifica-
41 tions for appointment as medical examiners and associate
42 medical examiners. All rules and regulations governing crim-
43 inal investigations shall be subject to the approval of the at-
44 torney general. Said commission shall establish requirements
45 for personnel, equipment and supplies for the proper function
46 of said office under a budget approved by the commission. Sub-
47 ject to appropriations, the funds needed for the establishment
48 and function of said office shall be provided by the common-
49 wealth.

1 SECTION 2. Section 1 of chapter 38 of the General Laws, as
2 most recently amended by section 3 of chapter 941 of the acts
3 of 1977, is hereby further amended by striking out in line 9
4 the word "committee" and inserting in place thereof the word
5 "commission."

1 SECTION 3. Said chapter 38 is hereby further amended by
2 striking out section 1B, as appearing in section 4 of said chap-
3 ter 941, and inserting in place thereof the following section: —

4 *Section 1B.* There shall be an office of chief medical exam-
5 iner, hereinafter called the office, under the supervision and
6 control of the chief medical examiner which, together with

7 the commission on medicolegal investigation, shall be located
8 at the medical school of the university of Massachusetts and
9 which shall be within the executive office of public safety.
10 All costs and expenses of the office and said commission, as
11 state agencies, shall be paid by the commonwealth. All fees
12 and expenses of the medical examiners and associate medical
13 examiners shall be paid by the Commonwealth.

14 The chief medical examiner shall be a physician who is a
15 diplomate of the American Board of Pathology in Forensic
16 Pathology and registered or qualified as eligible to practice
17 medicine in the commonwealth. The chief medical examiner
18 shall be appointed by the governor for a term of seven years
19 from among a list of not less than three nominees recom-
20 mended by the commission. The governor shall have the right
21 to request an additional list of three nominees before making
22 the appointment. The chief medical examiner shall carry out
23 the duties and functions described in this chapter. He shall
24 be paid by the office a salary of thirty-seven thousand five
25 hundred dollars annually for administration of said office. He
26 may also be compensated by said medical school for faculty
27 duties described in this section. Said salary and said compen-
28 sation shall be paid to the chief medical examiner notwith-
29 standing the provisions of chapter thirty and chapter two
30 hundred and sixty-eight A.

31 The duties and functions of the chief medical examiner
32 shall include the supervision of the medical examiners and
33 associate medical examiners of the commonwealth and the
34 enforcement of the rules and regulations adopted by the com-
35 mission; review of the work of the medical examiners and
36 associate medical examiners and the giving of advice and
37 counsel upon request or when necessary; the reception of
38 copies of the medical investigation and autopsy on every case
39 accepted by the medical examiners and associate medical ex-
40 aminers and the keeping of the records and the compilation
41 of annual statistics; the making of recommendations to the
42 governor, after consultation with the appropriate district med-
43 ical societies, for the appointment and reappointment of med-
44 ical examiners and associate medical examiners when a ter-
45 mination of appointment occurs or a vacancy exists, and the

46 appointment of all personnel in the office of the chief medical
47 examiners; provided, however, that all professional appoint-
48 ments shall not be subject to the provisions of section nine A
49 of chapter thirty of chapter thirty-one.

50 The office shall in conjunction with said medical school,
51 conduct appropriate educational, research and training pro-
52 grams, including such programs for forensic pathologists,
53 other physicians, forensic scientists, law enforcement person-
54 nel and others which are considered of benefit to medicolegal
55 investigation in general, and within the commonwealth in
56 particular. For such purposes the chief medical examiner
57 shall maintain a faculty affiliation with said medical school.

58 The chief medical examiner may appoint such associate
59 chief medical examiners as he deems necessary for the state-
60 wide operation of the office in order to assist the chief medical
61 examiner, to act for him in his absence or incapacity or to
62 supervise the activities of medical examiners in a specific
63 region. The associate chief medical examiners shall be certi-
64 fied in forensic pathology or have a minimum of five years
65 experience as a medical examiner and shall be registered to
66 practice medicine in the commonwealth. Such associate chief
67 medical examiners may be appointed from among the per-
68 sonnel of the office or may be appointed from among the med-
69 ical examiners serving in districts located in other parts of
70 the state. The chief medical examiner may establish regional
71 branches of the office. Such regional branches may be super-
72 vised by an associate chief medical examiner.

73 For the purpose of performing medicolegal autopsies and
74 other medicolegal investigational services throughout the com-
75 monwealth, the chief medical examiner shall appoint members
76 of a panel of state pathologists who may perform such serv-
77 ices in medicolegal investigations, including medicolegal au-
78 topsies, as may be assigned to them by the chief medical ex-
79 aminer or as otherwise ordered by the attorney general or a
80 district attorney or medical examiner under this section. Mem-
81 bers of said panel may assist district medical examiners in in-
82 vestigations upon request and may perform temporary inves-
83 tigative services, including views and medicolegal autopsies,
84 in districts where there is a vacancy in the position of medical

85 examiner or associate medical examiner. The chief medical
86 examiner shall be a member and chairman of said panel, and
87 shall be available to conduct medicolegal investigations and
88 autopsies and may bill for such services; provided, however,
89 that such billing shall accrue to the office and not directly to
90 the salary of said chief medical examiner. Such medicolegal
91 investigations or autopsies may be performed as ordered by
92 the chief medical examiner, or on order of a medical examiner
93 or associate medical examiner, or the attorney general, or
94 the district attorney of the district where the body is found,
95 in accordance with the provisions of section six of chapter
96 thirty-eight of the General Laws. Such order may name a
97 particular member of the panel to conduct the investigation
98 or autopsy; but if none is named, or if the named member is
99 not available, the chief medical examiner may conduct the
100 investigation and autopsy himself or may designate another
101 member of the panel of state pathologists to conduct it. The
102 members of the panel shall meet such qualifications as are
103 established by regulation by the commission. Members of the
104 panel shall be compensated by the Commonwealth for any
105 investigation conducted as follows: — three hundred dollars
106 for a medicolegal autopsy; one hundred dollars for an investiga-
107 tion and view of the body, plus travel expenses at twenty cents
108 per mile. Where advisable, the chief medical examiner may or-
109 der an investigation or an autopsy by a panel member on be-
110 half of the commonwealth and the panel member shall be com-
111 pensated by the commonwealth under the same rates as indi-
112 cated herein. The work of the panel of state pathologists shall
113 be supervised by the chief medical examiner and reports of all
114 investigations and autopsies shall be filed promptly with the
115 office of chief medical examiner in such form as determined
116 by the chief medical examiner under regulations established
117 by the commission.

1 SECTION 4. Section 1C of said chapter 38, as appearing in
2 said section 4 of said chapter 941, is hereby amended by strik-
3 ing out the words "medicolegal investigations" as they appear
4 in line 2 of the first paragraph and in lines 2, 3, and 4 of the
5 second paragraph and inserting in place thereof, in each in-
6 stance, the words "chief medical examiner."

1 SECTION 5. Section 2 of said chapter 38, as amended by sec-
2 tion 5 of said chapter 941, is hereby further amended by strik-
3 ing out the word "committee," as appearing in lines 4 and 10
4 of the second paragraph, and inserting in place thereof, in each
5 instance, the word "commission;" and by striking out lines
6 27, 28, and 29 and inserting in place thereof: — "Compensa-
7 tion for such temporary service shall be provided by the Com-
8 monwealth."

1 SECTION 6. Section 5 of chapter 38 of the General Laws as
2 most recently amended by sections 6 and 7 of chapter 941 of
3 the acts of 1977 is hereby amended by inserting before the first
4 sentence etc. the following sentence: —

5 "All salaries, expenses and fees associated with the duties
6 of medical examiners shall be assumed completely by the Com-
7 monwealth."; and by striking out in line 18: "shall be paid by
8 said County" and inserting in place thereof: "the Common-
9 wealth"; and striking out the remaining paragraph after the
10 word "duty."

1 SECTION 7. Section 6 of said chapter 38, as most recently
2 amended by chapter 391 of the acts of 1979, is hereby further
3 amended by striking out in lines 3 and 4 of the second para-
4 graph the words "medicolegal investigations" and inserting in
5 place thereof the words "chief medical examiner;" and by
6 striking out in line 60 the word "County" and inserting in
7 place thereof "the Commonwealth."

1 SECTION 8. This Act shall take effect on July 1, 1982.

1. The first part of the report deals with the general situation of the country and the progress of the war. It is a very interesting and well-written account of the events of the year.

2. The second part of the report deals with the financial situation of the country. It is a very detailed and accurate account of the state of the treasury and the public debt.

3. The third part of the report deals with the military situation. It is a very comprehensive and up-to-date account of the progress of the war on the various fronts.

4. The fourth part of the report deals with the political situation. It is a very clear and concise account of the state of the government and the various political parties.

5. The fifth part of the report deals with the social situation. It is a very interesting and well-written account of the state of the various social classes and the progress of social reform.