

UNIVERSITY OF FLORIDA COLLEGE OF MEDICINE – JACKSONVILLE

Resident Manual

AUTOPSY PERMISSION

Refer to Policy # A-02-025, Autopsies and to Policy # A-02-015, Care of the Deceased for additional information.

When a death occurs, the physician involved or one who is familiar with the case should request an autopsy. The hospital Chaplain is available for assistance in all instances, especially when there is a question of violation of some religious principle or belief. Obtaining autopsy permission is an individual matter, but it is strongly advised that the family have time with the physician and/or chaplain to ask questions about the autopsy. The Chaplain's office will assist both the physician and the family in completing the appropriate forms for autopsy and for the release of the body to a funeral home (Release of Body, Form Fast #110029). There is a

Before talking with the family about an autopsy, the physician must determine whether or not the death should be reported to the Medical Examiner. The statutes concerning the Medical Examiner are covered under that section in this Manual.

Once it is determined that the case does not come under the jurisdiction of the Medical Examiner, the physician must comply with the following guidelines in seeking permission to perform an autopsy:

- 1) Permission to perform an autopsy should not be sought or accepted before death occurs.
- 2) Neither duress nor threats of any nature may be used in attempting to secure permission to perform an autopsy.
- 3) Consent for autopsy must be secured on the proper consent form from the family (Authorization for Autopsy, Form Fast #110020). When the family is unable to come to the hospital or to prevent undue delay, autopsy permission may be obtained by telephone by the Chaplain's office following specific documentation guidelines.
- 4) The legal next of kin must grant permission for autopsy. The following relationships must be considered in determining the legal next of kin, in the order listed below. There must be a reasonable effort made to determine whether or not a member of a given category is living before proceeding by numerical order to the next lower category. Non-availability of the appropriate relative is not reason to proceed to the next lower category. The consent of only one person in a category is necessary to authorize an autopsy. For instance, if there are three children, only one child needs to give permission. If, however, it is known that one of the members of a given category, such as one of the siblings, objects strongly to the autopsy, then the autopsy may not be performed.
 - A) Order of succession of the deceased: (Person with Power of Attorney for health related decisions overrides the next of kin)
 - (1) wife or husband of the deceased;
 - (2) sons or daughters;
 - (3) father or mother;
 - (4) brothers or sisters;
 - (5) grandfather or grandmother;
 - (6) uncles or aunts;

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- (7) if none of the above are living, the lineal descendants of the next of kin of the highest succession attainable.
- B) MARITAL STATUS: Persons separated or living separately are married, unless a legal divorce has been granted.
- (1) Only those Common Law Marriages that were entered into prior to December 31, 1968, are valid if both parties use the same surname and present themselves as man and wife.
- C) In the death of a single adult, if there is a child of majority age, the child must sign. If there is not child of majority age, the mother or father must sign. If neither is living, then the eldest brother, sister, etc.
- D) Permission for autopsies must be granted by consent. Consent by telegram must identify the person granting permission, and state the relationship between such person and the deceased.
- E) In cases involving the death of a child, an infant or stillborn, the mother or father must sign. If the mother is unwed and is under 18 years of age, the mother must sign, and it is recommended that a grandparent sign as well, although this is not required.
- F) In the death of a child where there is a legal guardian, the permission of the guardian is superior to that of a next of kin, including a natural parent. Evidence of guardianship should be available and examined.
- G) In the death of a child where the parents are divorced, the parent with legal custody must sign the permission. If there is joint custody, either parent may sign.
- H) Adoptive partners have the same next of kin relationship as natural parents. Stepparents, however, are not considered next of kin.
- I) If it is known that no next of kin is alive, then the person assuming responsibility for the burial of the body can authorize permission. If it is not known whether there are living next of kin, a 48-hour search must be made for such. If none have been found, the person assuming responsibility of the body for burial may give permission.
- 5) The next of kin granting permission may restrict the examination if so desired. If no restrictions are placed, "none" should be written in the designated area of the autopsy permission form.
- 6) A brief clinical summary of the patient's history and hospital course must be completed by the physician requesting the autopsy (Form 2-2480). This summary should include 1) clinical diagnoses, 2) a list of any surgical procedures the patient underwent, 3) specific questions the physician would like answered or areas requiring special attention by the pathologist, and 4) any hazards either suspected or documented, to personnel performing the examination (infections such as tuberculosis, hepatitis, disseminated herpes or CMV, AIDS, N. meningitis, etc., or radioisotope administration).
- 7) The Pathology Department will perform autopsies on weekends or after regular working hours for appropriate medical reasons or if the family requests immediate release of the body for burial. The resident and pathologist-on-call must be notified to discuss individual cases.
- 8) Autopsy conferences are scheduled on Friday mornings at 11:30 a.m.