

UNIVERSITY OF FLORIDA COLLEGE OF MEDICINE – JACKSONVILLE

Resident Manual

MEDICAL EXAMINER CASES

Florida law requires all Medical Examiner deaths to be reported to the Medical Examiner by the physician. Hospital physicians can only sign a death certificate in cases of natural causes of death. Unnatural causes must be reported. The Medical Examiner may assume jurisdiction of the case, or may advise that the death does not fall within his jurisdiction. In the former event, the Medical Examiner determines the cause of death, completes and signs the Death Certificate. If the case is released to the hospital, however, the physician in charge should complete the Death Certificate in the normal manner and may then request an autopsy from the family. When there is a question of whether a case should be reported to the Medical Examiner, the physician should discuss the case with the hospital pathologist-on-call, who can help interpret specific cases. The Medical Examiner may be consulted by either the pathologist or the clinician if doubt still exists. The Medical Examiner ultimately determines whether or not a case falls in his jurisdiction. Bodies should not be sent to the Medical Examiner's Office in questionable cases until he has accepted responsibility.

When either a definite or questionable Medical Examiner case exists, the physician should always advise the family. Likewise, he should inform them that if it is a Medical Examiner case, a post-mortem examination can be required by law. The Medical Examiner statutes require reporting to the Medical Examiner any person who dies in the state under the following circumstances:

1. criminal violence (includes child abuse or suspected child abuse)
2. accident
3. suicide
4. suddenly, when in apparent good health (includes SIDS)
5. unattended by a practicing physician or other recognized practitioner
6. any prison or penal institution
7. police custody
8. any suspicious or unusual circumstances
9. criminal abortion
10. poison
11. disease, injury or toxic agent resulting from employment
12. disease that constitutes a threat to public health
13. when a dead body is brought into the State without proper medical authorization
14. a body is to be cremated, dissected

Interpretation of #2: All trauma cases are medical examiner's cases even if the person has been in the hospital for an extended period of time and dies from a medical complication of a traumatic event (ex. pulmonary thromboembolism secondary to hip fracture, pneumonia due to quadriplegia due to spinal fracture, multisystem organ failure due to motor vehicle accident). Accidental death includes hypothermia, hyperthermia-heat stroke, drug toxicity and overdoses.

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Interpretation of #4: If a person dies several hours after admission, but a working and reasonable diagnosis has been made concerning the patient's condition and cause of death and it is considered natural; we would not consider this a Medical Examiner's autopsy. There is no requirement that a definitive diagnosis be made, only that a reasonable working or presumptive diagnosis be established.

Interpretation of #5: Medical Examiner Rules defines an unattended death as "Death of a person who did not have a physician in attendance during his last illness." The Attorney General of Florida has issued an opinion that "unattended" means that the individual has not been seen within the past 30 days and is not taking prescribed medication regularly. In other words, if a patient is taking their medications as prescribed then they are "attended" even if it has been several months since they were last seen. The physician need not be present at the time of death or even in the agonal period. The chronicity of the probably fatal illness shall be considered in relation to the time of last physician visit.

Conversely, a physician present at death may not constitute a true attendance unless a reasonable diagnosis of natural death has been established. A DOA who has previously been seen or followed at SHANDS JACKSONVILLE for a known disease entity that might reasonably have caused his death, and there are no unusual or suspicious circumstances concerning his death, is NOT a Medical Examiner case.

Unlike some other states, patients dying within 24 hours of admission or surgery are not automatically medical examiner's cases. Rather, this determination hinges on whether or not a reasonable working diagnosis has been established. In those cases where there is a reasonable working diagnosis, and it is a natural cause, the Medical Examiner does not have jurisdiction regardless of how long the patient has been hospitalized.

If a family refuses to consent to post-mortem examination, this should not be a factor in determining whether or not a death is a Medical Examiner's case.