

**RULES
OF THE
TENNESSEE DEPARTMENT OF HEALTH
OFFICE OF THE CHIEF MEDICAL EXAMINER**

**CHAPTER 1200-36-01
INVESTIGATION OF DEATHS RESULTING FROM OPIATE, ILLEGAL
OR ILLICIT DRUG OVERDOSE**

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1200-36-01-.01 PURPOSE.

A complete autopsy is preferred and usually necessary for optimal investigation of deaths resulting from opiate, illegal or illicit drug overdose. The rules in this chapter set forth protocol for uniform investigations of deaths resulting from such drugs.

Authority: T.C.A. §§ 38-7-102, 68-3-502(d) and Chapter 916 of the Public Acts of 2012. **Administrative History:** Original rule filed June 17, 2013; effective November 28, 2013.

1200-36-01-.02 DEFINITIONS.

- (1) "Admission blood" means the blood obtained from an individual, whether alive or deceased, upon admission to the hospital.
- (2) "Autopsy" means the examination and dissection of a dead body by a physician authorized by law for the following purposes: determining the cause, mechanism, or manner of death, or the seat of disease, confirming clinical diagnoses, obtaining specimens for specialized testing, retrieving physical evidence, identifying the deceased, or educating medical professionals and students.
- (3) "Body" means the body of a deceased human or the parts or remains thereof.
- (4) "Chain of Custody" means the methodology of tracking specified materials, substances, or bodies for the purpose of maintaining control and accountability from initial collection to final disposition for all such items and providing accountability at each stage in handling, testing, and storing specimens and reporting test results.
- (5) "County Medical Examiner" means a physician licensed to practice medicine in the state of Tennessee and appointed by the county mayor.
- (6) "County Medical Investigator" means a licensed emergency medical technician, paramedic, registered nurse, physician's assistant or person registered by or a diplomat of the American Board of Medicolegal Death Investigators (AMBDI) and approved by the county medical examiner as qualified to serve under the supervision of a County Medical Examiner and assist the County Medical Examiner in death investigations.
- (7) "Forensic Pathologist" means a licensed physician who is certified in forensic pathology by the American Board of Pathology or who, prior to 2006, has completed a training program in forensic pathology that is accredited by the Accreditation Council on Graduate Medical Education (ACGME) or its international equivalent or has been officially "qualified for examination" in forensic pathology by the American Board of Pathology (ABP).

(Rule 1200-36-01-.02, continued)

- (8) "Regional Forensic Center" means a facility accredited by the National Association of Medical Examiners (NAME) that provides forensic autopsy and death investigative services to one or more counties.
- (9) "Scene" means the location where the death occurred and/or where the body was discovered.
- (10) "Toxicology" means the identification and analysis of drugs and poisons.

Authority: T.C.A. §§ 38-7-102, 68-3-502(d), and Chapter 916 of the Public Acts of 2012.

Administrative History: Original rule filed June 17, 2013; effective November 28, 2013.

1200-36-01-.03 REQUIRED REPORTING OF DEATHS RESULTING FROM OPIATE, ILLEGAL OR ILLICIT DRUG OVERDOSE.

- (1) Any physician, undertaker, law enforcement officer, or other person having knowledge or reasonable suspicion of the death of any person resulting from opiate, illegal or illicit drugs shall immediately notify the county medical examiner or the district attorney general, the local police or the county sheriff, who in turn shall notify the county medical examiner. The notification shall be directed to the county medical examiner in the county in which the death occurred.
- (2) The county medical examiner or county medical investigator shall report the death to the regional forensic center.
- (3) The regional forensic center shall:
 - (a) Forward reports of such deaths to the Office of the Chief Medical Examiner; and
 - (b) Send the final autopsy report of such deaths to the Office of the Chief Medical Examiner.

Authority: T.C.A. §§ 38-7-102, 68-3-502(d) and Chapter 916 of the Public Acts of 2012. **Administrative History:** Original rule filed June 17, 2013; effective November 28, 2013.

1200-36-01-.04 INVESTIGATION OF DEATHS.

- (1) The county medical investigator or the county medical examiner shall arrive as soon as practicable upon receiving a report pursuant to 1200-36-01-.03(1).
- (2) After arrival at the scene, the county medical investigator or the county medical examiner shall document in writing:
 - (a) Any usage of medications, illicit drugs and drug paraphernalia by the decedent;
 - (b) Any acute attempts of resuscitation performed on the decedent;
 - (c) Interviews with witnesses at the scene;
 - (d) Medical and mental health history of decedent; and
 - (e) An inventory of any medications found at the scene and document the name of the person to whom the medication was prescribed, the prescription number, pharmacy, the name of the prescribing medical practitioner, dosage, date filled, amount of

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medication issued, amount of medication remaining, and any instructions for the administration of the medication.

- (3) Prior to ordering an autopsy, county medical examiners and/or investigators shall consult with the regional forensic center receiving the body. Interpretation of postmortem toxicology testing requires correlation with history, scene and autopsy findings; thus whenever possible, a forensic autopsy shall be ordered.
- (4) If an autopsy is ordered, the county medical examiner shall send the following items with the body using chain of custody pursuant to the policy of the regional forensic center that will receive the body:
 - (a) All items listed in paragraph (2);
 - (b) Scene photos;
 - (c) Report of investigation;
 - (d) Order for autopsy;
 - (e) All admission blood and urine samples taken from the decedent and held at the hospital laboratory; and
 - (f) If the decedent was transferred to a hospital, a copy of the decedent's hospital medical records.
- (5) The county medical investigator will document the chain of custody for all items sent with the body.
- (6) The county medical examiner or investigator shall remain with the body at any non-hospital scenes until transportation arrives and removes the body.
- (7) The death certificate will be signed by the forensic pathologist who performs the forensic examination.

Authority: T.C.A. §§ 38-7-102, 68-3-502(d) and Chapter 916 of the Public Acts of 2012. **Administrative**

History: Original rule filed June 17, 2013; effective November 28, 2013.