

# The State of South Carolina



## Office of the Attorney General

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March 19, 1992

The Honorable Sue R. Townsend  
Coroner, Aiken County  
P. O. Box 1469  
Aiken, South Carolina 29801

Dear Coroner Townsend:

In a letter to this Office you requested a construction of Section 44-29-20 of the Code. Such provision states:

Prior to transportation of human remains known to be infected by any dangerous, contagious, or infectious disease into, through, or out of this State or any city, town, or county within this State, the hospital, health or medical clinic, physician, medical facility, person, or other entity in possession of the human remains shall inform any funeral director, ambulance driver, or any other person or entity who is to transport the remains that the remains are infected by a dangerous, contagious, or infectious disease.

In the event that human remains as described above are not to be moved immediately but are to be operated on for purposes of autopsy or otherwise handled, any doctor, technician, or other person charged with the responsibility of handling the remains known to be infected by any dangerous, contagious, or infectious disease must be informed that the remains are so infected.

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You asked when and how coroners transporting dead bodies can get information on infectious diseases regarding a body for which they are responsible. Based upon my review, it appears that a coroner could be construed as being within the category of "any other person ... who is to transport the remains" or "other person charged with the responsibility of handling the remains." Pursuant to Section 17-7-20 of the Code a coroner is given specific investigatory duties regarding a body found dead.

As referenced by the provision, "prior to transportation of human remains known to be infected", the person or entity in possession of the remains is to notify the person or entity transporting the remains that the remains are infected by a dangerous, contagious or infectious disease. If the remains are not moved immediately but are to be "otherwise handled" any individual "charged with the responsibility of handling the remains" which are infected must be informed of such infection. I would construe such as mandating information by any individual or entity in possession of the remains who knows of such infection. Moreover, acknowledging the statutory investigative duties of a coroner, it appears that a coroner would be included within the category of individuals "charged with the responsibility of handling the remains."

I do not construe Section 44-29-20 as mandating information relating to an infectious disease only when associated with an autopsy situation. It is my construction of such provision that any such information relating to knowledge that the remains are infected by a dangerous, contagious or infectious disease must be relayed by the person or entity having possession of the remains prior to the handling of the remains by the coroner.

With kind regards, I am

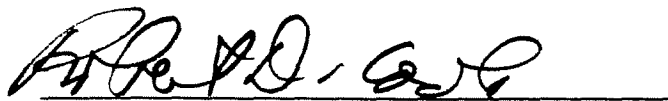
Very truly yours,



Charles H. Richardson  
Assistant Attorney General

CHR/an

REVIEWED AND APPROVED BY:



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