

1972 S.C. Op. Atty. Gen. 63 (S.C.A.G.), 1972 S.C. Op. Atty. Gen. No. 3265, 1972 WL 20411

Office of the Attorney General

State of South Carolina

Opinion No. 3265

February 28, 1972

*1 John E. Holler, M.D.
122 Pickens Street
Columbia, South Carolina

Dear Dr. Holler:

You have inquired as to the procedure that is required under the law to be followed in the case of the removal of a dead body from the place of death.

I direct your attention to the regulation of the South Carolina State Board of Health filed in the Office of the Secretary of State on March 17, 1971, which provides:

Section 10.3. Removal of Body

Before taking charge of a dead human body or fetus, the funeral director or person acting as such shall:

(a) Contact the attending physician and receive assurance from him that death is from natural causes and that the physician will assume responsibility for certifying to the cause of death or fetal death;

or

(b) Contact the coroner if the case comes within his jurisdiction and receive authorization from him to remove the body.

It is thus seen that the personal view of the dead body is not required under the terms of this regulation, which has the force and effect of law. It is only necessary that the physician or the coroner be contacted, and in the opinion of this Office, this contact may be made by telephone or verbally with the attending physician or the coroner.

If there is any further question in connection with this problem, please feel free to call upon me.

Very truly yours,

Daniel R. McLeod
Attorney General

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