

Sec. 19a-401-12. Reports and forms; inquiries; records.

(a) **Reports of investigations and of autopsies are prepared on standard forms issued by the Office.** The original reports of investigations, reports of hospital deaths, and of authorized autopsies are transmitted to the Office and copies shall be obtainable only from the chief medical examiner. The standard forms utilized by the Office shall include:

- (1) Telephone notice of death;
- (2) Report of investigation;
- (3) Hospital report of death;
- (4) Identification form;
- (5) Autopsy report; and
- (6) Receipt of evidence.

(b) **Retention of records; inspection of records.** The Office shall keep full and complete records of every death reported and investigated. Such records shall be retained at the Office. The original records shall be disposed of in accordance with section 11-8a of the Connecticut General Statutes.

(c) **Inquiries and requests for copies of records.** Inquiries concerning a death may be made in person or by letter to the chief medical examiner, Office of the Chief Medical Examiner, 11 Shuttle Rd., Farmington, Connecticut 06032. Copies of reports prepared by personnel of the Office and designated pathologists and other laboratories where pertinent, or detailed findings of other scientific investigations, shall be furnished upon payment of fees and upon conditions established by the Commission. Copies of such reports may be obtained as follows:

(1) If the requester of the records is a public authority, professional, medical, legal or scientific body or university or similar research body, seeking access to records for scientific or research purposes, access to the records is in the discretion of the Commission. Such persons seeking access to the record shall submit a letter to the chief medical examiner stating the general purposes for which access to the records is required and stipulating under oath that the identity of the deceased persons or any references which might result in the disclosure of the identity of the deceased persons, shall remain confidential and not be published.

(2) If the requester of the records is a member of the general public, he or she may obtain access to such records if the person has a legitimate interest in the documents and no court has issued an order prohibiting disclosure pursuant to section 19a-411 of the Connecticut General Statutes.

(3) If the requester of the records is a member of the general public and the records concern a person in the custody of the state at the time of death, as defined in section 19a-411 of the Connecticut General Statutes, the requester may obtain access to such records if no court has issued an order prohibiting disclosure pursuant to section 19a-411 of the Connecticut General Statutes.

(4) If the requester of the records is a pro se litigant seeking access to medical records, the requester may obtain access to such records if the records are legitimately sought for pending litigation and no court has issued an order prohibiting disclosure pursuant to section 19a-411 of the Connecticut General Statutes. Such person shall submit a letter to the chief medical examiner stating the case name, docket number, court where the litigation is

pending, and why the requester believes these records reasonably relate to his or her case.

(d) Requests for copies of records shall be in writing addressed to the chief medical examiner, Office of the Chief Medical Examiner, 11 Shuttle Rd., Farmington, Connecticut 06032. Requests for copies of records may be accepted in person during normal business hours upon such conditions as indicated for written requests and provided that such requests shall not interfere with the normal operations of the Office. Requests for copies of records shall list the name of the deceased, date of death and place of death.

(e) Requests for records sought by an attorney acting on behalf of an estate shall be accompanied by a duly executed authorization by the executor or administrator of the estate. Requests by attorneys, insurance claims agents or other interested parties, other than the next of kin or persons acting on behalf of the next of kin to the decedent, shall state reasons for which records are required. For purposes of this subsection, next of kin to the decedent shall include the decedent's spouse, mother, father, children, brother, or sister.

(f) Upon receipt of request from defense counsel of record in a criminal case for copies of records in said case, the chief medical examiner shall promptly notify the Office of the State's Attorney which has jurisdiction of such request and shall release said records to the defense attorney after the expiration of ten working days from the date of receipt of such request, without charge therefor, unless the Chief Medical Examiner is notified within said period of time that an application limiting disclosure has been made by the State's Attorney pursuant to provisions of section 19a-411 of the Connecticut General Statutes and that an order limiting disclosure has been issued by a judge for the judicial district in which the state's attorney has jurisdiction.

(g) The following records shall be furnished upon payment of the following fees, payable to the Treasurer, State of Connecticut, prescribed by the Commission on Medicolegal Investigations for copying such records and, where requested, for certification:

(1) Medical Records Postmortem Report shall cost forty dollars and include the following information if available:

- (A) Report of Investigation;
- (B) Hospital Report of Death;
- (C) Autopsy Report;
- (D) Neuropathology Report;
- (E) Toxicology Report;
- (F) Identification Form;
- (G) Receipt of Evidence;
- (H) Microscopic Examination;
- (I) Anthropology Report;
- (J) All other case file documents; and

(K) The Medical Records Postmortem Report may also include a Medical Records Postmortem True Copy Certification for an additional cost of ten dollars.

(2) Histology Records:

- (A) A processing fee shall cost twenty five dollars per case;
- (B) A stained Hematoxylin and Eosin slide shall cost twenty dollars per slide;
- (C) An unstained slide shall cost ten dollars per slide; and
- (D) Shipping charges shall cost ten dollars per case.

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(3) Photograph Records:

(A) A CD Rom shall cost fifty dollars per case; and

(B) Shipping charges for a CD Rom shall cost three dollars per CD Rom.

(h) The records of the Office may also contain copies of records of hospitalization, reports of police investigation, and copies of certificates of death. These records may be subject to the Freedom of Information Act, as defined in section 1-200 of the Connecticut General Statutes and also subject to relevant case law.

(Effective June 23, 1986; Amended September 3, 1998; Amended February 2, 2004; Amended November 14, 2006; Amended November 4, 2019)