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May 18, 2018

The Honorable Richard Pan, MD
The California Senate
State Capitol, Room 5114,
Sacramento, CA 95814-4900

Dear Senator Pan:

On behalf of the American Society for Clinical Pathology (ASCP), I am writing in support of SB 1303. This measure aims to eliminate the possibility of conflict of interest during a post-mortem examination (autopsy) by having a licensed physician or surgeon operate separately from county agencies. Most of California's counties utilize the Sheriff-Coroner model, allowing non-medically trained elected law enforcement officials to serve in the role of coroner.

The ASCP is a 501(c)(3) nonprofit medical specialty society representing over 100,000 members. Our members are board certified pathologists, other physicians, clinical scientists (PhDs), certified medical laboratory scientists/technologists and technicians, and educators. ASCP is one of the nation's largest medical specialty societies and is the world's largest organization representing the field of laboratory medicine and pathology. As the leading provider of continuing education for pathologists and medical laboratory personnel, ASCP enhances the quality of the profession through comprehensive educational programs, publications, and self-assessment materials.

The performance of autopsies is a medical service requiring the use of board-certified forensic pathologists. Appropriately, SB 1303 would require that the office of the coroner or the sheriff's coroner's office, as applicable, shall be replaced with an office of the medical examiner to exercise the powers and perform the duties of the coroner without a public vote or election. This measure would require that the medical examiner be appointed by the county board of supervisors or executive officer. The legislation requires that the "chief medical examiner shall meet all of the following requirements:

- (A) He or she shall be a physician and surgeon licensed to practice medicine in this state, or an osteopathic physician and surgeon licensed to practice osteopathic medicine in this state.
- (B) He or she shall be in good standing with the Medical Board of California or the Osteopathic Medical Board of California.
- (C) He or she shall be a board-certified forensic pathologist certified by the American Board of Pathology.

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(D) He or she shall have practiced forensic pathology for at least three years following board certification.”

To ensure public confidence in the legal process, it is imperative that autopsies be conducted in an ethical and professional manner. It is likewise important that autopsies be conducted without undue influence from the law enforcement agencies and prosecutors with which these medical professionals work. ASCP believes that enactment of SB 1303 takes critical steps toward ensuring that these goals can be realized.

We look forward to working with you on this matter and stand ready to help. Please feel free to contact me or Matthew Schulze, ASCP’s Director of the Center for Public Policy, at 202.408.1110 x2285 or by email at Matthew.Schulze@ASCP.org.

Sincerely,

A handwritten signature in black ink, appearing to read "James Wisecarver". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

James Wisecarver, MD, PhD, FASCP
President, American Society for Clinical Pathology

cc: Robert J. Achermann, CSP