

October 27, 2014

Dear Medical Examiners and County Coroners:

In September 2014, Governor Andrew Cuomo signed into law an amendment of section 4210 of the Public Health Law. A new subdivision, 2-a, was added. This law allows hospitals to have access to autopsy reports for the purposes of performance improvement. The law as quoted: “Where a person dies while under care or treatment at a general hospital (as defined by subdivision ten of section twenty-eight hundred one of this chapter) or while recovering from such care or treatment, any autopsy report for such person shall be made available, by the coroner or medical examiner under whose jurisdiction the autopsy was performed in a timely manner, to the hospital, for the purpose of ongoing performance improvement of such hospital, including for the purposes of sections 2805-j and 2805-k of this chapter. All such reports in the possession of a hospital shall be subject to the provisions of section 2805-m of this chapter”.

This legislation was introduced as a result of the changes that have occurred in the New York trauma system. In 2012, the Commissioner of Health determined that trauma centers would need to be verified by the American College of Surgeons Committee on Trauma and adhere to those national standards before being designated by the Department. Successful verification relies heavily on a Center’s performance improvement process, which is significantly enhanced by the availability of autopsy reports. Access to autopsy reports in a timely manner can be critical to understanding a patient’s complete clinical picture and determining educational opportunities and opportunities for improvement in the care provided.

In several regions of the state, medical examiners participate in their Regional Trauma Advisory Committee activities which include case reviews that are utilized as educational opportunities. We hope that as autopsy reports are made more widely available that more of you will take this opportunity to engage with the Centers in your region.

Thank you.

Sincerely,

Lee Burns, Director
Bureau of Emergency Medical Services
and Trauma Systems