

## **IC 16-36-2**

### **Chapter 2. Consent to Autopsy**

#### **IC 16-36-2-1**

##### **Autopsy defined**

Sec. 1. For purposes of this chapter, "autopsy" means the dissection of a dead body for the purpose of ascertaining the cause, seat, and nature of a disease or for the purpose of inquiring into the cause of death.

*As added by P.L.2-1993, SEC.19.*

#### **IC 16-36-2-2**

##### **Form of consent**

Sec. 2. For the purpose of this chapter, the consent to an autopsy must contain the purpose of and extent of the dissection so authorized and may be obtained only by the use of at least one (1) of the following:

- (1) A written instrument.
- (2) A telegram.
- (3) A witnessed telephone conversation.

*As added by P.L.2-1993, SEC.19.*

#### **IC 16-36-2-3**

##### **Persons authorized to give consent**

Sec. 3. (a) For the purpose of this chapter, consent for a licensed physician to conduct an autopsy of the body of a deceased person is sufficient when given by the following persons if the persons survive the deceased:

- (1) By the surviving spouse. However, if the deceased and the surviving spouse were legally separated at the date of death, the survivor is not considered a surviving spouse.
- (2) If there is no surviving spouse, then by any one (1) adult child of the deceased.
- (3) If there is no surviving spouse or adult child of the deceased, then by one (1) parent of the deceased.
- (4) If there is no surviving spouse, adult child, or parent and there is an adult who is next of kin of the deceased residing in the county in which the deceased died a resident, then by any one (1) next of kin.
- (5) If there is no surviving spouse, adult child, parent, or next of kin, then by any person assuming custody of and financial responsibility for the burial of the body.

(b) If there is more than one (1) person authorized to consent, consent of one (1) of the persons is sufficient.

*As added by P.L.2-1993, SEC.19.*

#### **IC 16-36-2-4**

##### **Conclusiveness of consent**

Sec. 4. Consent to an autopsy in accordance with this chapter is conclusive as to any rights in the body of a deceased person as

against any claim by any other person, but only for the purpose of performing the autopsy.

*As added by P.L.2-1993, SEC.19.*

**IC 16-36-2-5**

**Effect of chapter on other laws**

Sec. 5. This chapter supplements the laws concerning autopsies and does not do any of the following:

- (1) Repeal, modify, or amend laws concerning autopsies.
- (2) Require consent for a coroner to perform an autopsy in the discharge of the coroner's duties.

*As added by P.L.2-1993, SEC.19.*