

ILLINOIS STATE MEDICAL SOCIETY

**Resolution 12.2021-12
(A-22)**

Introduced by: Amar Dave, MD, ISMS Member

Subject: (55 ILCS 5/4-7001) From Ch. 34, par. 4-7001) Sec. 4-7001.
Coroner’s Fees – ISMS has No Policy Regarding Fees Charged to
Physician of the Deceased Patient for Providing Autopsy Reports

Referred to: Council on Medical Service

1 Whereas, ISMS has no policy regarding fees charged by a coroner’s office to the
2 physician for providing autopsy report of the deceased under his or her care; and

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4 Whereas, coroner’s office charges \$50 to the physician of the deceased to provide
5 an autopsy report; and

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7 Whereas, an autopsy report is no different than any other report (i.e. x-ray, labs,
8 biopsy etc.) in terms of providing medical care to patient(s) under his or her care; and

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10 Whereas, a physician is never charged for any of these reports regarding patients
11 under his or her care; and

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13 Whereas, an autopsy report is equally important in providing medical care in term
14 of medical counseling, genetic counseling and many more; and

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16 Whereas, physicians provide medical records of the deceased to coroner’s office
17 at no charge; and

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19 Whereas, Medical Ethics, Social Morale and Fairness Doctrine dictate such
20 practice as unethical, immoral and unfair with potential for negative impact on medical
21 counseling of the survivors as well as putting a definitive scientific closure to the
22 deceased medical records and ISMS should take a position on this law and the practice;
23 therefore, be it

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25 RESOLVED, that ISMS establish a policy that the physician of the deceased be
26 exempted from this fee under the above stated law; and be it further

27 RESOLVED, that ISMS introduce counter legislation to exempt physicians from
28 any fee for providing autopsy report of the deceased under his or her care; and be it
29 further

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31 RESOLVED, that ISMS establish a policy of reciprocity where both parties
32 can charge each other if no legislative change is possible in this matter.

Fiscal Note:

n/a

Existing ISMS policy and action related to this issue:

The Illinois State Medical Society encourages its members to seek approval for postmortem examinations, when appropriate, in all cases of death where the autopsy has public health and educational benefits for medical science, the family of the deceased individual or the public at large. (HOD 1991; Last BOT Review 2011)

House of Delegates adopted Sub. BOT Report F (Res. 70 A-97) which directed that ISMS should monitor and report upon the current coroner's death certificate system, with particular attention to certificates that lack a physician's signature, and encourage coroners to utilize the services of a coroner's physician to determine the cause of death. (HOD 1998)

Board of Trustees agreed to send a letter to the Illinois Coroners and Medical Examiners Association encouraging coroners to utilize coroners' physicians. (BOT 1998-OCT)

Death shall have occurred, when an individual has sustained either: (1) Irreversible cessation of circulatory and respiratory functions, or (2) Irreversible cessation of all functions of the entire brain including the brain stem. Certification of the cause of death must be accomplished by a physician licensed to practice medicine in all its branches, except in those cases subject to the coroner's or medical examiner's investigation. (HOD 1993 Amended; Last BOT Review 2011)

ISMS favors a medical examiner system throughout the state in preference to a coroner system, wherever practical. (HOD 1971; Last BOT Review 2011)