

By Senator Garcia

36-00570-26

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1 A bill to be entitled  
2 An act relating to medical examiners' duties; amending  
3 s. 406.11, F.S.; defining terms; specifying autopsy  
4 requirements for certain cases involving sudden and  
5 unexpected deaths; requiring medical examiners to  
6 document certain information in the autopsy reports  
7 for such cases; requiring medical examiners to report  
8 specified cases to the national Sudden Unexpected  
9 Infant Death and Sudden Death in the Young Case  
10 Registry in accordance with protocols established by  
11 the Department of Health and the United States Centers  
12 for Disease Control and Prevention; requiring the  
13 department to impose certain administrative penalties  
14 against medical examiners for failure to report such  
15 cases in a specified timeframe; providing that  
16 compliance with specified provisions is deemed a  
17 permissible disclosure for purposes of state and  
18 federal medical privacy laws; providing an effective  
19 date.  
20

21 WHEREAS, the United States Centers for Disease Control and  
22 Prevention operates the Sudden Unexpected Infant Death and  
23 Sudden Death in the Young Case Registry, a national surveillance  
24 program coordinated with the National Institutes of Health to  
25 establish a valuable repository of information for researchers  
26 studying the characteristics of sudden deaths in young  
27 individuals, and

28 WHEREAS, district medical examiners in this state are  
29 currently not required to report to the registry, resulting in

36-00570-26

2026188\_\_

inconsistent data collection, and

WHEREAS, uniform reporting and the inclusion of relevant medical information, including recent immunizations and emergency countermeasures, are essential to strengthen public health research, identify risk factors, and improve prevention strategies, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (3) is added to section 406.11, Florida Statutes, to read:

406.11 Examinations, investigations, and autopsies.—

(3) (a) As used in this subsection, the term:

1. "Sudden Arrhythmic Death Syndrome (SADS)" means the sudden and unexpected death due to cardiac arrhythmia, as determined by performance of an autopsy or a clinical investigation, of a young, apparently healthy individual with no previously diagnosed structural heart disease.

2. "Sudden Death in the Young (SDY)" means the sudden and unexpected death of an individual younger than 20 years of age due to natural causes, including, but not limited to, sudden cardiac death or sudden unexpected death in epilepsy, which death remains unexplained after initial investigation.

3. "Sudden Infant Death Syndrome (SIDS)" means the sudden death of an infant younger than 1 year of age which remains unexplained after a thorough case investigation, including performance of an autopsy, scene investigations, and a review of clinical history.

4. "Sudden Unexpected Infant Death (SUID)" means the sudden

36-00570-26

2026188\_\_

and unexpected death of an infant younger than 1 year of age,  
whether explained or unexplained, including, but not limited to,  
death caused by SIDS, accidental suffocation, and other  
potential causes.

5. "Sudden Unexpected Infant Death (SUID) and Sudden Death  
in the Young (SDY) Case Registry" means the national  
surveillance system coordinated by the Centers for Disease  
Control and Prevention and the National Institutes of Health  
which collects standardized data on sudden and unexpected deaths  
in individuals younger than 20 years of age.

(b) In the case of an infant or child who dies suddenly and  
unexpectedly, including cases of SIDS, SUID, or SDY, the autopsy  
must include microscopic and toxicology studies and a review of  
the child's immunization and medical records, as available  
through the state's immunization registry established pursuant  
to s. 381.003, from the child's pediatrician or primary care  
practitioner, or from other sources. The medical examiner shall  
document in the autopsy report any immunizations or emergency  
countermeasures administered to the child within 90 days before  
the child's death and report the case to the SUID and SDY Case  
Registry in accordance with protocols established by the  
Department of Health and the Centers for Disease Control and  
Prevention.

(c) In the case of a sudden death suspected to be caused by  
SADS in an individual of any age, the autopsy must include  
microscopic and toxicology studies and a review of the  
individual's immunization and medical records, as available  
through state health databases or other sources. The medical  
examiner shall document in the autopsy report any immunizations

36-00570-26

2026188\_\_

88 or emergency countermeasures administered to the individual  
89 within 90 days before his or her death and report the case to  
90 the SUID and SDY Case Registry if the individual was younger  
91 than 20 years of age at the time of death, in accordance with  
92 protocols established by the Department of Health and the  
93 Centers for Disease Control and Prevention.

94 (d) The Department of Health shall impose the following  
95 administrative penalties against a district medical examiner who  
96 fails to report a case of SIDS, SUID, SDY, or SADS, for  
97 individuals younger than 20 years of age, to the SUID and SDY  
98 Case Registry within 30 days after completing the autopsy  
99 report:

- 100 1. For the first unreported case, a fine of up to \$1,000.  
101 2. For the second unreported case, a fine of up to \$5,000.  
102 3. For repeated noncompliance, referral to the Medical  
103 Examiners Commission for disciplinary action, which may include  
104 suspension or removal pursuant to s. 406.075.

105 (e) Compliance with the reporting and documentation  
106 requirements of this section is deemed a permissible disclosure  
107 under state and federal medical privacy laws, including the  
108 Health Insurance Portability and Accountability Act of 1996.

109 Section 2. This act shall take effect July 1, 2026.