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ACLU OF RI POSITION: NEUTRAL/AMEND

**TESTIMONY ON 26-H 7933
AN ACT RELATING TO HEALTH AND SAFETY –
OFFICE OF STATE MEDICAL EXAMINERS
March 19, 2026**

The ACLU of Rhode Island has no position on this legislation generally, which, as described in the explanation, “clarifies and updates language in the office of state medical examiners statute to address outdated or ambiguous language...”

However, we did wish to raise questions about language appearing on Page 12, lines 6-15, of the bill. That provision would give the office of the state medical examiners (OME) unlimited discretion to seek various personal records that the office deems necessary to assist in determining the cause and manner of a person’s death. While we recognize the general goal behind this, we particularly question the scope of this authority to apply to confidential educational records, which are documents that we cannot see being relevant to making such determinations.

In addition, as this section is worded, the various records that the OME could unilaterally obtain are not limited to those of the decedent. Rather, the OME would have the power to acquire the records of *other individuals* if they were “deemed necessary.” This access could be obtained, as far as we can tell, without an obligation on the OME to tell that individual that their records were being turned over. If that is not the intent, we would urge that the language be clarified.

There may be legitimate reasons for granting the OME such broad and unreviewable access to these documents, but the breadth of the language gives us pause and prompts this testimony for the committee and the Department’s consideration.

Thank you for considering our views.