

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH CONGRESS  
First Regular Session

House Bill No. **4171**



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Introduced by **HON. ROBERT ACE S. BARBERS**

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**AN ACT REQUIRING MANDATORY AUTOPSY ON BODIES OF CRIME VICTIMS, DEATHS  
UNDER MYSTERIOUS AND SUSPICIOUS CIRCUMSTANCES, AND FOR OTHER  
PURPOSES**

**EXPLANATORY NOTE**

An autopsy is necessary to determine the cause and manner of death, the state of health of the person before he or she died, and whether any medical diagnosis and treatment before death was appropriate. In sensitive cases, a timely and competent autopsy is fundamental to the proper investigation of any suspicious death.

Section 95 (b)(1) of Presidential Decree No. 856 or the Code on Sanitation of the Philippines states that a special law may be created to perform autopsies on certain cases. So far, no law has been enacted requiring an autopsy to be done on victims who have suffered from crimes or from dubious accidents.

It is for the greater public interest that the government conduct autopsies under the foregoing circumstances in the pursuit of justice.

In view of the foregoing, approval of this bill is highly sought.

**HON. ROBERT ACE S. BARBERS**  
*Representative*  
2<sup>nd</sup> District, Surigao del Norte

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Introduced by HON. ROBERT ACE S. BARBERS

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**AN ACT REQUIRING MANDATORY AUTOPSY ON BODIES OF CRIME VICTIMS, DEATHS UNDER MYSTERIOUS AND SUSPICIOUS CIRCUMSTANCES, AND FOR OTHER PURPOSES**

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

**Section 1. Short Title.** This Act shall be known as the "Mandatory Autopsy Law."

**Section 2. Declaration of Policy.** It is the policy of the State to ensure that justice is served and that the greater public interest prevails in the investigation and resolution of crimes and deaths resulting therefrom and under mysterious and suspicious circumstances. Towards this end, to ensure that a scientific analysis on a victim's death is complete, factual, and reliable, autopsies on the bodies of the victims is a must.

**Section 3. Autopsy and dissection of remains.** Mandatory autopsy shall be performed on patients who die in the following cases, subject to Section 95 (b)(c) of Presidential Decree 856 or the Code on Sanitation of the Philippines:

- a) deaths resulting from commission of crimes;
- b) sudden deaths not caused by readily recognizable disease, or wherein the cause of death cannot be properly certified by a physician on the basis of prior (recent) medical attendance;
- c) deaths occurring under suspicious circumstances, including those where alcohol, drugs or other toxic substances may have had a direct bearing on the outcome;
- d) deaths occurring as a result of violence or trauma, whether apparently homicidal, suicidal or accidental (including, but not limited to, those due to mechanical, thermal, chemical, electrical or radiational injury, drowning, cave-ins and subsidences);
- e) any death in which trauma, chemical injury, drug overdose or reaction to drugs or medication or medical treatment was a primary or secondary, direct or indirect, contributory, aggravating or precipitating cause of death;
- f) operative and perioperative deaths in which the death is not readily explainable on the basis of prior disease;
- g) any death wherein the body is unidentified or unclaimed;

- h) deaths known or suspected as due to contagious disease and constituting a public hazard;
- i) deaths occurring in prison or a penal institution or while in the custody of the police;
- j) deaths of persons whose bodies are to be cremated, buried at sea or otherwise disposed of so as to be thereafter unavailable for examination;
- k) sudden infant death syndrome; and
- l) stillbirths.

**Section 4. *Person authorized to autopsy.*** The autopsy and dissection of remains shall be performed by any of the following qualified persons:

- a) Government health officers;
- b) Medical officers of law enforcement agencies; and
- c) Members of the medical staff of accredited hospitals.

**Section 5. *Implementing Rules and Regulations.*** – The Philippine National Police, National Bureau of Investigation and Department of Health shall promulgate the necessary rules and regulations for the implementation of this Act. This shall be done immediately within 60 days after the enactment of this law.

**Section 6. *Repealing Clause.*** – All laws, decrees, orders, rules and regulations or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed and modified accordingly.

**Section 7. *Separability Clause.*** – If any clause, sentence, paragraph or part of this Act shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Act, but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved.

**Section 8. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved.