



CHAPTER 130A
ARTICLE 16 - POSTMORTEM INVESTIGATION AND DISPOSITION

N.C.G.S. § 130A-389.

Autopsies.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2025-70, s. 2(b) — twentieth act in the lineage	RETRIEVED 21 September 2026, 04:23 UTC	SOURCE FINGERPRINT df590b1fca9a1735d4dbe6ab - 5bba1ff5170beca3b99ecb2c - 930251c66f78d704
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§ 130A-389(a) The Chief Medical Examiner or a competent pathologist designated by the Chief Medical Examiner shall perform an autopsy or other study in each of the following cases:

- (1) If, in the opinion of the medical examiner investigating the case or of the Chief Medical Examiner, it is advisable and in the public interest that an autopsy or other study be made.
- (2) If an autopsy or other study is requested by the district attorney of the county or by any superior court judge.
- (3) Notwithstanding subdivision (2) of this subsection, in any case in which the district attorney of the county asserts to the Chief Medical Examiner or the medical examiner of the county in which the body was located that there is probable cause to believe that a violation of G.S. 14-18.4 has occurred, a complete autopsy shall be performed. The district attorney has at least 72 weekday hours after pronouncement of death by a person authorized under this Part to express the opinion that death has occurred to make the assertion required by this subdivision, provided that the district attorney or the investigating law enforcement agency provides notification within the first 24 hours after the pronouncement that such an assertion might be made. The district attorney may, but is not required to, assert to the Chief Medical Examiner the facts supporting probable cause to believe that a violation of G.S. 14-18.4 has occurred.

A complete autopsy report of findings and interpretations, prepared on forms designated for the purpose, shall be submitted promptly to the Chief Medical

Examiner. Subject to the limitations of G.S. 130A-389.1 relating to photographs and video or audio recordings of an autopsy, a copy of the report shall be furnished to any person upon request unless the report is protected from disclosure or release under subsection (d1) or (d3) of G.S. 130A-385.

§ 130A-389(a1)

The fee for the autopsy or other study shall be five thousand eight hundred dollars (\$5,800) to be paid as follows:

- (1) Except as provided in subdivision (2) of this subsection, the county in which the deceased resided shall pay a fee of three thousand six hundred twenty-five dollars (\$3,625) and the State shall pay the remaining balance of two thousand one hundred seventy-five dollars (\$2,175).
- (2) If the death or fatal injury occurred outside the county in which the deceased resided, the State shall pay the entire fee in the amount of five thousand eight hundred dollars (\$5,800).

§ 130A-389(b)

In deaths where the Chief Medical Examiner and the medical examiner investigating the case do not deem it advisable and in the public interest that an autopsy be performed, but the next-of-kin of the deceased requests that an autopsy be performed, the Chief Medical Examiner or a designated pathologist may perform the autopsy, unless the deceased's health care power of attorney granted authority for such decisions to the health care agent. If the Chief Medical Examiner or a designated pathologist performs the autopsy at the request of the next of kin, the cost shall be paid by the next of kin.

§ 130A-389(c)

When the next-of-kin of a decedent whose death does not fall under G.S. 130A-383 or 130A-384 requests that an autopsy be performed, the Chief Medical Examiner or a designated pathologist may perform that autopsy and the cost shall be paid by the next-of-kin.

§ 130A-389(d)

The report of autopsies performed pursuant to subsections (b) and (c) shall be a part of the decedents' medical records and therefore not public records open to inspection.

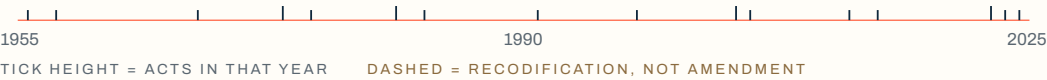
END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
20 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



Nº	YEAR	ACT	CHARACTER
01	1955	c. 972, s. 1	ENACTED
02	1957	c. 1357, s. 1	AMENDED
03	1967	c. 1154, s. 1	AMENDED
04	1973	c. 47, s. 2	AMENDED
05	1973	c. 476, s. 128	AMENDED
06	1975	c. 9	AMENDED
07	1981	c. 187, s. 7	AMENDED
08	1981	c. 562, p. 5	AMENDED
09	1983	c. 891, s. 2	AMENDED
10	1991	c. 463, s. 2	AMENDED
11	1998	S.L. 1998-212, s. 29A.10(a)	AMENDED
12	2005	S.L. 2005-351, s. 4	AMENDED
13	2005	S.L. 2005-393, s. 2	AMENDED
14	2006	S.L. 2006-226, s. 32	AMENDED
15	2013	S.L. 2013-360, s. 12E.8(a)	AMENDED
16	2015	S.L. 2015-241, s. 12E.5(a)	AMENDED
17	2023	S.L. 2023-123, s. 5(a)	AMENDED
18	2023	S.L. 2023-134, s. 9H.8(a)-(c)	AMENDED
19	2024	S.L. 2024-43, s. 1(c)	AMENDED
20	2025	S.L. 2025-70, s. 2(b)	AMENDED

APPARATUS II
4 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
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G.S. 14-18.4	(a)(3)	<i>"to believe that a violation of"</i>
G.S. 130A-389.1	(a)	<i>"Examiner. Subject to the limitations of"</i>
G.S. 130A-385	(a)	<i>"under subsection (d1) or (d3) of"</i>
G.S. 130A-383	(c)	<i>"whose death does not fall under"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 130A-389 (2025).

PINPOINT

N.C. Gen. Stat. § 130A-389(a) (2025).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1955, c. 972, s. 1; 1957, c. 1357, s. 1; 1967, c. 1154, s. 1; 1973, c. 47, s. 2; c. 476, s. 128; 1975, c. 9; 1981, c. 187, s. 7; c. 562, p. 5; 1983, c. 891, s. 2; 1991, c. 463, s. 2; 1998-212, s. 29A.10(a); 2005-351, s. 4; 2005-393, s. 2; 2006-226, s. 32; 2013-360, s. 12E.8(a); 2015-241, s. 12E.5(a); 2023-123, s. 5(a); 2023-134, s. 9H.8(a)-(c); 2024-43, s. 1(c); 2025-70, s. 2(b).)

