

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 438 (Delegate Guns)
Environmental Matters

Medical Examiner - Autopsy - Notification of Families

This bill requires the medical examiner who is in charge of a body to notify the family of the deceased prior to removing the body from the county where the death occurred for an autopsy. The medical examiner must, when possible, allow the family an opportunity to view the body before transporting the body.

Fiscal Summary

State Effect: Indeterminate increase in general fund expenditures beginning in FY 1998. Revenues would not be affected.

Local Effect: Potential indeterminate minimal decrease in local jurisdiction expenditures. Revenues would not be affected.

Small Business Effect: None. This bill requires notification to family members and does not directly impact small businesses.

Fiscal Analysis

State Expenditures: There are a variety of ways the Office of the Chief Medical Examiner (OCME) could comply with the notification requirement of the bill. The cost associated with each option varies as well.

- (1) Currently, notification to family members of the deceased is provided by law enforcement officers. Depending on the area in the State in which the death occurred and the area where family members are located, the notification would be through a State, county, or municipal police officer. Generally, the officer would visit the home of the family member and provide personal notification. It may be possible that

delegating the responsibility for notification to the law enforcement officers may be sufficient to comply with the bill's requirements. In that event, there would be no cost to the OCME.

- (2) Alternatively, OCME could provide the notification. Currently, the determination of whether or not an autopsy is required by the OCME is made by either a forensic investigator or a deputy medical examiner in that county. These are private providers who perform contract work for OCME and are paid based on the number of cases they "investigate". Currently, forensic investigators are paid \$50 per case and deputy medical examiners are paid \$80 per case. These individuals could be given the responsibility of notifying the deceased family. If the OCME notifies the family over the phone, the cost to the State would be minimal assuming these investigators/examiners work with the cooperation of the law enforcement officers.
- (3) If the OCME decides personal notification is appropriate then it would need to establish a system that would ensure timely notification. The OCME could provide each forensic investigator and deputy medical examiner with a list of contacts within each county and notification could be provided through these individuals. The cost to the OCME would be either the cost of reimbursing these individuals for travel and time, or paying them on a case-by-case basis. The difficulty would arise for family members of the deceased who reside out-of-State. It is unclear how the OCME could provide timely notification in those circumstances. It is anticipated that out-of-State law enforcement officers would have to provide the notification in those circumstances.

The bill also provides that the medical examiner must allow the family an opportunity to view the body before transporting the body for an autopsy. Currently, if an accident caused the death, the body is generally transported by paramedics to a local hospital before it is transported to Baltimore for an autopsy. In those situations, the body could be held at the hospital to allow the family an opportunity to view the body. In other circumstances, a body that would require an autopsy would generally be transported from the scene directly to the OCME's office in Baltimore City. Since body transport companies are generally funeral homes, the body could be held at the funeral home, or transported to the local hospital. The extent of the cost cannot be determined at this time. It would depend on the availability of space at the local hospital or funeral home and the length of time the body is held.

Local Expenditures: If the law enforcement agencies no longer have to provide notification to families for those cases specified in the bill, expenditures may decrease by an indeterminate minimal amount.

Information Source(s): Department of Health and Mental Hygiene (Office of the Chief Medical Examiner), Department of State Police, Baltimore City, Department of Fiscal Services

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