

MARYLAND REGISTER

## Proposed Action on Regulations

<b>Transmittal Sheet</b>  <b>PROPOSED OR REPROPOSED</b>  <b>Actions on Regulations</b>	<b>Date Filed with AELR Committee</b>	<b>TO BE COMPLETED BY DSD</b>
	05/20/2016	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 6/24/2016

2. COMAR Codification

**Title Subtitle Chapter Regulation**

10 35 01 14

3. Name of Promulgating Authority

Department of Health and Mental Hygiene

4. Name of Regulations Coordinator

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**Title 10**  
**DEPARTMENT OF HEALTH AND MENTAL HYGIENE**  
**Subtitle 35 POSTMORTEM EXAMINERS COMMISSION**  
**10.35.01 Medical Examiner Cases**

Authority: Health-General Article, §§5-301 et seq., and 18-213; Estates and Trusts Article, §4-509; Annotated Code of Maryland

**Notice of Proposed Action**

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The Secretary of Health and Mental Hygiene proposes to amend Regulation .14 under COMAR 10.35.01 Medical Examiner Cases.

**Statement of Purpose**

The purpose of this action is to reduce the autopsy report fees from \$30 to \$25 for a first-degree relative to receive a copy of the official medical examiner's autopsy report and from \$120 to \$100 for all others.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

**I. Summary of Economic Impact.**

This proposal will result in a fee reduction from \$30 to \$25 for a first-degree relative to receive a copy of the official medical examiner's autopsy report and from \$120 to \$100 for all others.

<b>II. Types of Economic Impact.</b>	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(R-)	\$13, 960
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	(+)	\$13,960

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public: NONE

**III. Assumptions.** (Identified by Impact Letter and Number from Section II.)

A. There will be a revenue decrease to the Department and a savings to those who request a copy of the official autopsy report. The amount of \$13,960 is based on an estimated 944 first-degree relatives requesting autopsy reports x \$5 savings, plus an estimated 462 others requesting autopsy reports x \$20 savings.

D. See A.

**Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

**Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

**Opportunity for Public Comment**

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499; TTY:800-735-2258, or email to [dhmh.regs@maryland.gov](mailto:dhmh.regs@maryland.gov), or fax to 410-767-6483. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

**Economic Impact Statement Part C**

A. Fiscal Year in which regulations will become effective: FY 2017

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

This fee reduction may minimally benefit some small legal offices if they were to request a copy of an official autopsy report.

G. Small Business Worksheet:

Attached Document:

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**HYGIENE**  
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*10.35.01.14 (May 3, 2016)*

**.14 Release of Medical Examiner's Records.**

A.—C. (text unchanged)

D. Fee Schedule.

(1) Autopsy reports may be sent electronically to the requestor. The fees schedule is the same for paper or electronic reports and is as follows:

(a) A fee of [\$30] \$25 for a first-degree relative may be charged; and

(b) A fee of [\$120] \$100 for all others may be charged for providing a requested autopsy report and included consultation reports.

(2)—(7) (text unchanged)

E. (text unchanged)

**VAN T. MITCHELL**

**Secretary of Health and Mental Hygiene**

**FEE JUSTIFICATION FOR**  
**PROPOSED COMAR 10.35.01**

(1) Explain/justify why an increase or decrease is necessary:

Fees are being reduced in order to benefit applicants by reducing their costs relating to certain transactions.

(2) How much money is needed to operate effectively or to eliminate an operating fund deficit?

N/A.

(3) In what year was the most recent fee increase?

2014.

(4) Is the fee revenue retained by the Proposing Unit or passed through to a national organization that administers a uniform licensing exam?

General funds.

(5) Describe any measures taken to mitigate the need for increased revenue:

N/A.

(6) Describe any special circumstances that have had an adverse impact on the Proposing Unit's operating expenses.

N/A.

(7) Describe any consideration given by the Proposing Unit as to the hardship a fee increase may have on the regulated profession.

N/A.

(8) Describe any efforts to solicit the opinions of licensees regarding the Proposing Unit's effectiveness and performance.

N/A.