

**Department of Legislative Services**  
Maryland General Assembly  
2009 Session

**FISCAL AND POLICY NOTE**

House Bill 1172 (Delegate Myers, *et al.*)  
Health and Government Operations

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**Postmortem Examiners Commission - Regulations - Transportation of Human Remains**

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This bill requires the Postmortem Examiners Commission to adopt regulations that authorize the deputy medical examiner or forensic investigator to consider response expediency when arranging for transportation services of human remains from a scene or death.

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**Fiscal Summary**

**State Effect:** The bill does not affect governmental finances.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** The Postmortem Examiners Commission utilizes Office of Chief Medical Examiner (OCME) staff to conduct death investigations throughout the State if a human being's death occurs by violence, suicide, casualty, suddenly, if the deceased was in apparent good health or unattended by a physician, or in any suspicious or unusual manner.

If a medical examiner's case occurs, the police or sheriff must immediately notify the medical examiner and State's Attorney for the county where the body is found. Immediately on notification, the medical examiner or investigator of the medical examiner must go to and take charge of the body. The medical examiner or the

investigator must investigate the essential facts concerning the medical cause of death and, before leaving the premises, record these facts and the names and addresses of witnesses in writing, which are filed in the medical examiner's office.

In cases of death investigated by OCME, the deputy medical examiner or forensic investigator within OCME arranges for body transportation services of human remains from a scene of death in Maryland to a specified location in Maryland. Funeral directors and body transportation service providers may transport human remains for OCME if they notify the deputy medical examiner or forensic investigator that they are interested in providing this service for the State.

The State budget must include an appropriation for the necessary expenses for transportation of a body for examination by a medical examiner or for autopsy. Providers of body transportation services are paid \$3 per mile, one way, by the shortest route, plus any tolls, with a minimum of \$100 if the distance is less than 30 miles from the scene of death to a designated location. The shortest route may be verified by OCME. This is the sole compensation the provider is entitled to, and the provider or any other person may not submit a charge to any other party, including the family of the deceased, for this service.

**Background:** OCME budgeted \$564,196 in body transportation services for fiscal 2009.

OCME advises that its internal policy requires body transportation service providers to respond to a scene within one hour of notification. However, this policy is not defined in regulations.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Health and Mental Hygiene; Department of Labor, Licensing, and Regulation; Department of Legislative Services

**Fiscal Note History:** First Reader - March 17, 2009  
ncs/mwc

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