

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: HB 301
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB301-DHSS-SMEO-02-19-14
Title: AUTOPSIES AND DEATH CERTIFICATES
Sponsor: HERRON
Requester: House Health & Social Services Committee

Department: Department of Health and Social Services
Appropriation: Public Health
Allocation: State Medical Examiner
OMB Component Number: 293

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

	FY2015 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2015	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Personal Services							
Travel							
Services							
Commodities	5.0						
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	5.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

1004 Gen Fund	5.0						
Total	5.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Not applicable, initial version.

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Agency: Health & Social Services

Phone: (907)269-2042
Date: 02/19/2014 02:45 PM
Date: 02/19/14

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. HB301

Analysis

This bill requires the State Medical Examiner's Office to provide written notice describing the duties and procedures of the State Medical Examiner's Office to the person responsible for the burial of the deceased; and to obtain a burial-transit permit before transporting the body. There is no cost associated with implementing this provision as this is the current practice of the State Medical Examiner's Office.

This bill requires the State Medical Examiner's Office to transport the deceased to a location other than the community nearest the location of death after examination if requested by the family and if the costs do not exceed that of shipping the body back to the community nearest the location of death. If the costs are higher for the alternate location and the family maintains the request, the family would be responsible for paying the difference in the cost. There would be no additional cost associated with implementing this provision as this is the current practice of the State Medical Examiner's Office. The average cost to transport a body to the Medical Examiner's Office and back is approximately \$700.

The bill requires the State Medical Examiner's Office to perform any embalming required by law or by a policy of the transporting entity and to provide the necessary cosmetology if the deceased were disfigured by the post mortem examination. Currently, there are no laws requiring embalming for transport within Alaska, and no transporting entities have policies requiring embalming for transport within Alaska. Therefore, there is no fiscal impact under current circumstances. However, if a transporting entity implements such a policy, the state would be required, under this bill, to pay for the embalming. The State Medical Examiner's Office would contract for this service with a funeral home, and the current rate is approximately \$1,000 per body. The state currently pays for the transportation of approximately 400 bodies per year back to communities within the state, therefore the total fiscal impact could be up to \$400,000 per year if these requirements change.

The bill requires the State Medical Examiner's Office to designate a location for conducting a post mortem examination that is in the community closest to where the death occurred if a facility with adequate technology and personnel is available at the location to enable the state medical examiner to direct a remote examination. Fairbanks Memorial Hospital is the only other location in the state, aside from the State Medical Examiner's Office in Anchorage, that is currently equipped to perform forensic examinations. Neither the State Medical Examiner's Office nor the Fairbanks location currently has telemedicine/video conferencing equipment, and additional investments would be required. The one-time cost to purchase and install the necessary technology at the Medical Examiner's Office is \$5,000. The bill is unclear as to the responsibility for purchasing and maintaining the autopsy infrastructure in other communities, but the cost to a local jurisdiction for doing so could be significant, up to approximately \$300,000 per site.

Under current procedures, there are only certain cases that could be completed remotely – accidents and possible natural causes for unattended deaths. All presumed suicides and homicides would still be sent to the Medical Examiner in Anchorage. Those that were remotely examined and found to possibly be homicide or suicide would need to be sent to the Medical Examiner. Since it is not appropriate for a physician who is not a fully trained forensic pathologist to handle the full autopsy cases, these remote exams would mostly just be external exams or very minimal internal work. The Medical Examiner's Office ships about 400 cases each year to a location other than the community nearest the location of death. Of those, 40 were accidental or presumed natural causes that could have been done remotely, at an estimated cost of \$1,500 per case at the location. The remainder would still be sent to the Medical Examiner's Office for additional testing and exam. If completed remotely by a forensic pathologist, however, those costs would be much higher, and would not be incurred by the State because that cost would exceed the cost of completing the autopsy at the State Medical Examiner's office in Anchorage.

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FISCAL NOTE ANALYSIS

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Analysis Continued

If a physician were performing these duties on behalf of the State it is unknown who would be liable if the state was ever questioned about the autopsy results. It is also unknown if the state would be responsible for providing liability coverage in these cases. Costs would be incurred in equipment and contractual services. Costs for incurring additional liability are indeterminate.

If the head, face, neck, or hands of the deceased are disfigured by the post mortem examination the department would be responsible for the cost of providing the cosmetology necessary to make the deceased presentable. The State Medical Examiner's Office currently follows this policy; however they contract with funeral homes to provide this service. There are no funeral homes located in rural Alaska and it is unknown who, if anyone, could alternatively provide this service or the cost of providing this service. There would be an additional indeterminate cost for providing cosmetology services.

Additionally, the Medical Examiner's Office is required to provide temperature and other controls to maintain the body of the deceased when transporting the deceased. This would require an additional indeterminate cost.

This bill requires the Bureau of Vital Statistics to designate a person of the deceased's community to complete the death certificate if there was no available funeral director or funeral home. This could be a difficult and time-consuming task for Bureau employees but it could be managed with existing resources by reallocating staff from other tasks. This would likely mean increased wait times for all services, not just death certificates.