

SB

145

BILL NO: SB 145

DATE: March 18, 1993

TITLE: "An Act establishing the position of state medical examiner. . ."

CONTACT: C.E. Swackhammer
Deputy Commissioner
465-4322

SB 145 establishes the position of state medical examiner within the Department of Health and Social Services. It provides that coroners may request the state medical examiner, under regulations to be adopted by the Department, to conduct an external and/or internal examination of the body and to take other appropriate actions to determine the cause of death and to certify it.

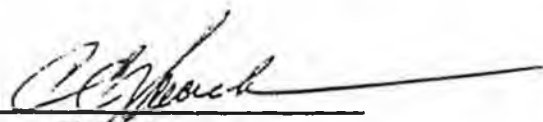
Since 1988, DPS autopsy costs have escalated from 0 to \$225.0 projected for FY93. A state medical examiner can assist in helping to reduce the growth of these costs by being the central point of contact to coroners and law enforcement agencies on forensic medical considerations in death scene investigations, on interpretation of decedents' medical histories, on the interpretation of the findings of external examinations so that a decision can be made to determine:

Which cases require full autopsies or other post mortem examinations and including toxicology screens;

Whether the transportation of the body for post mortem examination is necessary; and if so to what location can autopsy/toxicology screens be performed.

A state medical examiner program will help ensure that appropriate post mortem examinations are performed when necessary for reasons of public safety or public health, while also providing the department with a mechanism to help contain growth in autopsy costs. A state medical examiner will also establish a quality control program to provide training and monitoring of the work of physicians who are appointed as medical examiners in the judicial districts.

The Department of Public Safety strongly endorses SB 145.


Richard L. Burton
Commissioner

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO: SB 145

Revision Date: 4/2/93 Dept. Affected: Public Safety
 Title: "An act establishing the position BRU: DPS Statewide Support
of state medical examiner: " Component: Laboratory Services
 Sponsor: Senate HESS
 Requestor: Senate STA COMPONENT SERIAL NO. 527

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

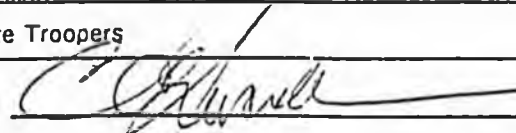
POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY 93) impact: \$ 0.0

ANALYSIS: (Attach a separate page if necessary.)

The Department's original fiscal note was in error, due to miscommunication. Passage of this bill will help to contain the growing costs for services provided by the Crime Lab. See attached budget amendment.

Prepared By: Francis C. Allan Phone: 269-5691
 Division: Alaska State Troopers Date: 4/02/93
 Approved by Commissioner:  Date: 4/02/93
 Agency: Richard L. Burton, Dept. of Public Safety

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AS 12.85.025 assigns the responsibility for designating facilities at which autopsies are performed to the Commissioner of the Department of Health and Social Services. AS 12.85.040 authorizes the coroner to inquire into the cause of death. The Department of Public Safety's Crime Laboratory receives bodies for autopsy but has no authority to question or screen referrals from the coroner. Additionally, the Crime Laboratory has never been permanently funded to perform or assist in a significant number of autopsies.

Due to the tremendous growth in the number of autopsies, resources including forensic professionals are being diverted to assist in autopsies to such an extent that approximately 10% of the Labs resources are now allocated to autopsy work.

The resulting impact limits the major forensic focus of the lab which is to provide forensic support to police in the processing of cases involving latent fingerprints (21,500), criminalistics (6,900), narcotics (11,000), crime scene investigations, administering the breath alcohol program and perform drawings and facial reconstructions.

During the first 6 months of FY 93, 301 autopsies were performed at the Public Safety Crime Laboratory. Of the total \$2,000.5 authorized, an estimated \$226.2 was spent for autopsy support. With the expectation of handling over 800 bodies during FY 93, the Laboratory cannot handle this volume of work with only two autopsy assistants or afford the overtime to receive these remains after hours. During FY 93, other Laboratory caseload has increased to a level where current laboratory personnel can no longer handle this increased workload.

GBA

ADDITIONAL
EXPLANATION
FORM

AGENCY Department of Public Safety

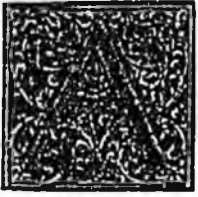
BRU DPS Statewide Support

COMPONENT Laboratory Services

FY 94

Page 2 of 2

Revised Date



ALASKA STATE MEDICAL ASSOCIATION

4107 Laurel Street • Anchorage, Alaska 99508-5334 • (907) 562-2662

RECEIVED MAR 31 1993

March 30, 1993

Senator Steve Reiger
Alaska State Senate
State Capitol
Interdepartmental Mail Stop: 3100
Juneau, AK 99801-1182

Dear Senator Reiger:

The Legislative Affairs Committee of the Alaska State Medical Association recently reviewed Senate Bill 145 regarding the position of a State Medical Examiner. After a lengthy discussion we feel it necessary to oppose this bill. It will not represent an improvement over the current system. It was also felt that this would be a more expensive means of dealing with unattended deaths in Alaska. I would encourage you to oppose this bill. If you have any questions regarding this, please feel free to contact me.

Sincerely yours,

Donald R. Lehmann, M.D., A.B.F.P.
Chairman, Legislative Affairs Committee
Alaska State Medical Association

DRL:bj



ALASKA STATE MEDICAL ASSOCIATION

DONALD LEHMANN, MD
Chairman, Legislative Committee

700 Katlian Dr., Suite E
Sitka, Alaska 99835

(907) 747-5861
Fax (907) 747-5415

TESTIMONY

PATHOLOGY ASSOCIATES
P.O. Box 111565
Anchorage, Alaska 99511
907-264-1171
FAX. 907-264-1007

April 2, 1993

Senator Loren Leman
State Capital
Room 113
Juneau, Alaska 99801

Dear Senator Leman:

It is come to my attention that SB #145 is due to for a hearing by the State Affairs committee soon. I write in opposition. For the past 26 years I have been one of the Alaska State Medical Examiners and in my opinion, Alaska has one of the best medical examiner systems in the country. The coroner, an administrator appointed by the presiding judge of the Superior Court of each judicial district is required to investigate deaths in several categories, including homicides, suicides, accidents, those that are work-related, those with potential public health significance, and any other where cause and manner are not obvious. The investigation may or may not include an autopsy, at the Coroner's discretion.

We are fortunate to be able to perform autopsies on most of these deaths since autopsies lead to accuracy in death certificate statistics and leads to few mistakes in classification of death. An attempt will probably be made to compare our autopsy rate to that of jurisdictions in the other states with the implication that fewer is better. Actually, the ideal would be a rate of 100%, not some lesser number. Most workers in those jurisdictions envy us ^{for} our low numbers and acknowledge that they miss many overdose suicides and occasional homicides as well as misdiagnosing many natural deaths. I have had two cases of gunshot homicides that would have been missed if policy were to conduct "walk-by" viewings of the body. The notes accompanying SB #145 state that its purpose is to lower the cost of the operation by doing fewer autopsies. Dr. Nakamura told me that his real motive is to gain control of the function. The administrative task of handling our bills was turned over to the Department of HSS several years ago because the court administrator wanted to get rid of annoyance. I believe that this function should be returned to the court system. The bill's proponent told me in so many words that he wanted control and cost saving was a lesser motive.

Senator Loren Leman
SB #145
Page 2...

I think the fiscal note is deflated and that some costs have been purposely ignored. For example, it is proposed that the State Crime Lab be enlarged to accommodate the Medical Examiner's office and that the autopsy room be enlarged. Further, to assume that a future state medical examiner might choose to do fewer autopsies is questionable since that depends upon the philosophy of the individual pathologist.

The proposed working relationship between the State Medical Examiner, Coroner, and private sector pathologist sounds cumbersome at best. To assume that we would gladly do the night and weekend work is presumptuous. Further, it is advantageous in court to be able to state that we work for the judge instead any law enforcement agency or the District Attorney. To work for the department of HSS would be only slightly better.

I could mention other details but will stop here in the interest of brevity. I urge you to withhold support for this bill. Our system is not broke; it does not need to be fixed.

Sincerely yours,


Donald R. Rogers, M.D.
Forensic Pathologist

DRR/rs

STATE OF ALASKA

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF PUBLIC HEALTH

WALTER J. HICKEL, GOVERNOR

P.O. BOX 110610
JUNEAU, ALASKA 99811-0610
PHONE: (907) 465-3090

March 30, 1993

Honorable Steve Rieger
Room 516
State Capital

Dear Senator Rieger:

The department projects the following costs associated with the Post Mortem Program for FY 94. Our latest projections anticipate that the program will have to pay for 824 post mortem exams in FY 94. This new projection is down from our original projection of 880 as a result of more current data. We have prepared an amended fiscal note based upon this new projection. Our analysis is also based upon an average cost of \$1,098.00 per post mortem examination. This average was discussed in the original fiscal note and is still our best estimate of actual costs after all fee increases have been realized in the system.

Table one shows the projected cost of 824 post mortem exams under the existing system is \$905,000. This compares with \$825,000 if SB 145 passes and a State Medical Examiner (ME) is hired.

TABLE 1

	Without Medical Examiner	With Medical Examiner
Personal Services		\$191.0
Travel		\$ 25.0
Contractual		
post mortem exams(824@\$1,098)	\$905.0	
post mortem exams(500@\$1,098)		\$549.0
Toxicological panels(100@\$250)		\$ 25.0
Office and phones		\$ 5.0
Supplies		\$ 5.0
Equipment		\$ 25.0
	<hr/>	<hr/>
Total Estimated Cost	\$905.00	\$825.00
Estimated Savings With Medical Examiner		\$80.0

This first year savings of approximately \$80,000 occurs because the ME is expected to do 110 autopsies per year along with other administrative duties and court appearances. The analysis further assumes that approximately 150 deaths will be certified based upon

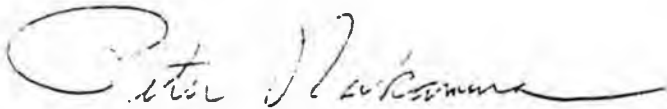
Senator Reiger

-2-

a death investigation alone and (100) can be certified on the basis of a toxicology panel alone at a cost of \$250.

Savings in future years will depend primarily upon the rate of increase in the cost of contracted services. However, with the proposed Medical Examiner system in place these services will be under the administrative and financial control of the Department.

Truly Yours,

A handwritten signature in cursive script, reading "Peter M. Nakamura". The signature is written in dark ink and is positioned above the typed name and title.

Peter M. Nakamura MD, MPH
Director

Alaska State Legislature

Senator Steve Rieger, Chair
Senator Bert Sharp, Vice Chair
Senator Loren Leman
Senator Mike Miller
Senator Jim Duncan
Senator Johnny Ellis
Senator Judith Salo



State Capitol
Room 516
Juneau, Alaska 99801
(907) 465-3762

Senate Committee on Health, Education and Social Services

MEMORANDUM

March 31, 1993

TO: Senator Loren Leman, Chair
Senate State Affairs Committee

FROM: Senator Steve Rieger, Chair *SR*
Senate HESS Committee

RE: Hearing request for SB 145 "An Act establishing the position of state medical examiner; and relating to preparation of death certificates."

I respectfully request a hearing for SB 145 which is in the Senate State Affairs Committee.

Senate Bill 145 is a Senate HESS bill which has the support of the Departments of Public Safety and Health and Social Services and the Alaska Court System. Currently, the coroner determines whether post mortem examinations are necessary. The Department of Health and Social Services pays for the exams. Senate Bill 145 creates a new position of state medical examiner in the Department of Health and Social Services. It provides that coroners may request the state medical examiner, under regulations to be adopted by the department, to conduct an external and/or internal examination of the body and to take other appropriate actions to determine the cause of death and to certify it. It is the expectation of the Committee that a state medical examiner will be able to reduce the total number of post mortem exams performed by eliminating unnecessary exams.

Please contact me or Betty Hargrave on my staff if you have any questions regarding SB 145. Thank you.

SPONSOR STATEMENT



Alaska State Legislature

Official Business

SENATE STATE AFFAIRS COMMITTEE

State Capitol
Juneau, AK 99801-1182

MEMORANDUM

TO: Senate Secretary

FROM: Senator Loren Leman, Chairman
Senate State Affairs Committee

DATE: March 31, 1993

SUBJECT: Committee Schedule

State Affairs

Butrovich Room

April 5

Monday 9:00 AM

HB 64, Anti-Stalking Law (Pending Referral)

SB 145, State Medical Examiner

Bills Previously Heard

April 7

Wednesday 9:00 AM

→ SB 5, Medicaid For Certain Disabled Children

→ SB 161, Interest Rates, Taxes, Royalties
Bills Previously Heard

April 9

Friday 9:00 AM

NO MEETING SCHEDULED

April 12

Monday 9:00 AM

NO MEETING SCHEDULED

Alaska State Legislature

Senator Steve Rieger, Chair
Senator Bert Sharp, Vice Chair
Senator Loren Leman
Senator Mike Miller
Senator Jim Duncan
Senator Johnny Ellis
Senator Judith Salo



State Capitol
Room 516
Juneau, Alaska 99801
(907) 465-3762

Senate Committee on Health, Education and Social Services

Sponsor Statement on:

SB 145 "An Act establishing the position of state medical examiner; and relating to preparation of death certificates."

Senate Bill 145 is a Senate HESS bill which has the support of the Departments of Public Safety and Health and Social Services and the Alaska Court System. Currently, a coroner determines whether post mortem examinations are necessary, physicians conduct the post mortem examinations under a fee for service arrangement, and the Department of Health and Social Services pays for the exams and associated costs.

Senate Bill 145 creates a new position of state medical examiner in the Department of Health and Social Services. It provides that coroners may request the state medical examiner, under regulations to be adopted by the department, to conduct an external and/or internal examination of the body and to take other appropriate actions to determine the cause of death and to certify it.

It is the expectation of the Committee that a state medical examiner will be able to reduce the total number of post mortem exams performed by eliminating unnecessary exams. In the FY 94 Senate Health and Social Services budget, the Senate Finance Committee has incorporated the passage of SB 145 into its funding proposal and shows a reduced post mortem examination cost when compared to the governor's budget proposal.

POSITION PAPER

SENATE BILL NO. 145

A Bill for an Act entitled: "An Act establishing the position of state medical examiner; and relating to preparation of death certificates."

SB 145 establishes the position of state medical examiner within the Department of Health and Social Services. It provides that coroners may request the state medical examiner, under regulations to be adopted by the department, to conduct an external and/or internal examination of the body and to take other appropriate actions to determine the cause of death and to certify it.

BACKGROUND

The existing system for the medical investigation of deaths required to be reported to coroners in Alaska involves four agencies: the Departments of Public Safety, Health and Social Services and Law, and the Alaska Court System.

AS 12.65 specifies the types of deaths which must be reported to coroners and gives coroners the responsibility for establishing the cause of death in these cases. In some of these reported cases, a physician is willing to certify the cause of death and the coroner may determine that no further action is required. In other cases, a physician is not willing to certify the cause or the circumstances of death are such that the coroner may decide to require a post mortem examination which, under current conditions, usually includes an autopsy. Physicians who conduct post mortem examinations work under a fee for service arrangement. Coroners certify that the physician's service has been rendered and DHSS pays the bills. In addition to physician fees, there are also costs for laboratory services, ground or air transportation of bodies for examination and fees payable to funeral homes for the use of facilities and other services provided. The Department of Public Safety provides facilities and support for certain post mortem examinations conducted at its Anchorage Crime Lab facility .

Historically, the costs of the program for medical investigations of death have been significantly underfunded. Supplementals or revised budget requests have been required each year.

POSITION PAPER

STATE OF ALASKA ★ DEPARTMENT OF HEALTH & SOCIAL SERVICES

	<u>Orig Auth</u>	<u>RP/SUPP</u>	<u>Final Auth</u>	<u>Actuals</u>
FY88	463.4	180.6	644.0	618.3
FY89	463.4	333.2	796.6	767.3
FY90	463.4	310.0	773.4	754.5
FY91	463.4	346.6	810.0	809.1
FY92	696.0	102.0	798.0	796.2
FY93	696.0	229.6 (Req)		

The marked projected increase in FY93 is accounted for by an estimated 11 percent increase in the number of autopsies performed and a higher cost per unit of service.

Also historically, Alaska has had a higher rate of autopsy examinations than other states. Contributory factors include the relatively young age of the population and the high incidence of violent deaths, both accidental and deliberate.

DISCUSSION

The purpose of this bill is to control escalating costs through improving the decision making process for selection of cases to be autopsied. The only way to make significant changes in the rate of cost increases is to limit the number of autopsies and associated transportation expenditures. However, it is absolutely essential that these changes be achieved while simultaneously guaranteeing that autopsies and other types of post mortem examinations be performed where they are necessary for the purposes of law enforcement and public health.

It is anticipated that the number of autopsies can be reduced by focusing on deaths which are classified as accidental or natural. In FY 1991, Alaska autopsied 84 percent of the accidental and 22 percent of the natural death cases reported while the national average for these two categories is 50 percent and 11 percent respectively. In FY 1992, 538 or 68.7 percent of autopsies performed related to accidental or natural deaths at a cost of \$546.6.

There are two critical cost-related issues which can be addressed by a state medical examiner:

- 1) which cases require full autopsies or other post mortem examinations, including toxicology screens; and
- 2) whether transportation of a body is necessary, and if so, to what destination. E.g., can the drawing of body fluids for toxicology screens be done locally or at a regional facility rather than in Anchorage?

The state medical examiner will provide consultation to the coroners and law enforcement agencies on forensic medical considerations in death scene investigations, on

POSITION PAPER

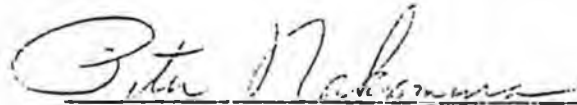
STATE OF ALASKA * DEPARTMENT OF HEALTH & SOCIAL SERVICES

interpretation of decedents' medical histories, and on the interpretation of the findings of external body examinations. He or she will also perform about 125 autopsies per year while other required autopsies will continue to be done by contract pathologists. A quality control program will also be established. The state medical examiner will also provide training and monitoring of the work of physicians who are appointed as medical examiners in the judicial districts. Once these activities are in place and functioning, it should be possible to contain the costs of the program.

POSITION

The Department of Health and Social Services strongly endorses SB 145. Discussions have been held with the Court System and the Departments of Law and Public Safety over a period of years to try to arrive at a realistic cost containment strategy. While the Court System has attempted to limit the proportion of cases sent for autopsy examination, significant changes have not occurred. We believe that the establishment of a state medical examiner program will ensure that appropriate post mortem examinations are performed when necessary for reasons of public safety or public health, while also providing the department with the tools it needs to control escalating program costs.

Recommended by:

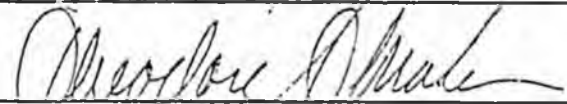


Peter M. Nakamura, MD, MPH
Director, Division of Public Health

Date:

March 10, 1993

Approved by:



Theodore A. Mala, MD, MPH
Commissioner, Department of Health and Social Services

Date:

10 March 1993

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. Senate Bill 145

Revision Date: 3/31/93 Dept. Affected: Health and Social Services
 Title: Establish a state medical examiner position BRU: State Health Services
and preparation of death certificates Component: Post Mortem Examinations
 Sponsor: SHES
 Requestor: SCRA COMPONENT SERIAL NO. #293

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES	191.0	191.0	191.0	191.0	191.0	191.0
TRAVEL	25.0	15.0	15.0	15.0	15.0	15.0
CONTRACTUAL	183.0	183.0	183.0	183.0	183.0	183.0
SUPPLIES	5.0	5.0	5.0	5.0	5.0	5.0
EQUIPMENT	25.0					
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	429.0	394.0	394.0	394.0	394.0	394.0

CAPITAL						
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REVENUE FUND SOURCE						
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FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	429.0	394.0	394.0	394.0	394.0	394.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	429.0	394.0	394.0	394.0	394.0	394.0

POSITIONS:

FULL-TIME	2	2	2	2	2	2
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: None

ANALYSIS: (Attach a separate page if necessary)

Line 100 -					
Medical Examiner	rg 27	Exempt	Anch	PFT	155.4
Clerk IV	rg 9	GGU	Anch	PFT	35.6
Line 200 -					
Recruitment & Moving Expenses					10.0
Travel to conduct PME's & meeting					15.0

Prepared by: Peter M. Nakamura, MD, MPH
 Division: Division of Public Health

Phone: (907) 465-3090
 Date: 3/31/93

Approved by Commissioner: Theodore A. Mala, MD, MPH
 Agency: Department of Health & Social Services

Date: 3/31/93

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ANALYSIS (cont.):

Line 300 -	
Post Mortem Examinations(500 x \$1098/ea) + 24 hr. backup	549.0
(This includes the \$396.0 currently authorized for the component)	
Toxicology Panels (100 x \$250/each)	25.0
Office Space & Phones	5.0
Line 400 -	
Office & Lab Supplies	5.0
Line 500 -	
Office Furniture	7.5
Computer Equipment	17.5

The number of autopsies is anticipated to reach 824 in FY93, an 3% increase over FY92. The projected increase in the number of autopsies is due in part to increases in the population, the age of the population and the number of violent crimes in the state. Under the current coroner's system, the courts are responsible for securing a completed death certificate. If the death involves an unattended death where the coroner cannot locate a physician who is willing to attest to the probable cause of death or a death associated with a criminal offense, the coroner orders an autopsy. The Department of Health & Social Services is responsible for paying for these costs. By implementing a State Medical Examiner system, the authority to perform or order an autopsy would rest with the agency also responsible for the budget.

The anticipated cost containment will occur when the ME can make the decision that he/she can attest to the probable cause of death based on (1) the information that is available, or (2) toxicology panels, or (3) by performing an autopsy. In FY91, Alaska autopsied 84% of the accidental and 22% of natural cause deaths while the national average for these two categories is 50% and 11% respectively. In FY92, 538 or 68.7% of autopsies performed related to accidental or natural deaths. The average cost of an autopsy for that fiscal year was \$1,016; \$546.6 was spent on those two categories in FY92. By implementing an ME system, the agency is hoping to reduce the number of autopsies performed after accidental and natural deaths, which will bring Alaska's autopsy ratios for those two categories down comparably.

One of the difficulties that this state experiences (that other states do not) is lack of access in the rural areas. A professional person on staff who can train Public Safety Officers and Village Public Safety Officers in death scene investigations and Public Health Nurses and EMT's in body fluid draws will help contain the costs of shipping bodies to Anchorage.

An ME can perform 100-125 autopsies a year along with other administrative duties and court appearances. The agency will have to continue to contract with other pathologists in order to perform the additional autopsies which the ME determines are necessary and to provide a 24 hour back-up system. Assuming 824 deaths as the base, 110 autopsies will be performed by the ME, 150 deaths certificates can be filed based on the death investigation alone, and 100@\$250/test can be filed based on a toxicology panel. The remaining 500 autopsies will need to be contracted out.

With the unit cost per autopsy going from \$1,017 to \$1,098 with implementation of a new fee schedule for the funeral homes and with the number of autopsies expected to increase, this bill will give the department the tools it needs to control the increasing costs of this program.

Position Title Clerk IV		No. of Positions 1	Range/Step 9A	Bargaining Unit GGU
Time Status PFT	Staff Months 12.0	Location Anchorage		Election District
TYPE of EXPENDITURE		AMOUNT		
Salary		25.4		
Benefits		10.2		
Premium Pay				
Other				
Total Personal Services		35.6		
Travel				
Contractual		1.5		
Commodities		0.6		
Equipment		8.2		
Other				
Total Cost		45.9		
FUNDING SOURCE for TOTAL COST				
1002	Federal Receipts			
1003	GF Match			
1004	General Fund	45.9		
1005	GF/Program Receipts			
1006	GF/Mental Health Trust			
1007	I/A Receipts			
1061	CIP Receipts			
Other				
Justification This position will be the sole clerical support for the State Medical Examiner position. It will be responsible for: 1) office management; 2) data base management; 3) office fiscal responsibilities; and 4) medical transcriptions.				

**REQUEST for
NEW POSITION**

AGENCY: Health and Social Services
BRU: State Health Services
COMPONENT: Post Mortem Examinations

FY94

Page 1 of 1
Revised Date:

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

Bill No. SB 145

Revision Date: _____ Department Affected: Alaska Court System
 Title: An Act establishing the position of State BRU: Trial Courts
medical examiner Components: _____
 Sponsor: Senate HESS
 Requestor: _____ COMPONENT SERIAL NO. 768

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

1002 FEDERAL RECEIPTS						
1003 GF MATCH						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/PROGRAM RECEIPTS						
1006 GF/MHTIA						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY 93) impact: None

ANALYSIS: (Attach a separate page if necessary)
No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel *CSC* Phone: 264-8228
 Division: Alaska Court System Date: 03/11/93
 Approved by: Arthur H. Snowden, II, Administrative Director *AHS*
 Agency: Alaska Court System Date: 03/11/93

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

SENATE BILL NO. 145

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Introduced: 3/3/93
Referred: STA, HES, JUD

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing the position of state medical examiner; and relating to
2 preparation of death certificates."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * Section 1. AS 12.65 is amended by adding a new section to read:

5 Sec. 12.65.015. STATE MEDICAL EXAMINER. (a) In addition to
6 appointing medical examiners under AS 12.65.010, the commissioner of health and
7 social services shall establish in the Department of Health and Social Services the
8 position of state medical examiner. The state medical examiner is in the exempt
9 service under AS 39.25.110.

10 (b) The state medical examiner must be a physician licensed to practice in the
11 state.

12 (c) The state medical examiner shall perform the duties assigned under
13 AS 12.65.020 and regulations implementing that section and other duties as assigned
14 by the commissioner of health and social services.

forensic pathologist

licensed forensic pathologist

1 * Sec. 2. AS 12.65.020 is amended to read:

2 Sec. 12.65.020. [CORONER'S POWER TO ORDER] EXAMINATIONS BY
3 STATE MEDICAL EXAMINER AND INQUESTS BY CORONER. (a) When a
4 person dies unattended by a physician, or when no physician is prepared to execute the
5 certificate of death prescribed by AS 18.50 (Vital Statistics Act), the coroner assigned
6 to serve the place where the death occurs may, under regulations of the Department
7 of Health and Social Services, request the state [, BY WRITTEN ORDER, DIRECT
8 A] medical examiner to view the remains of the deceased person, [AND TO] perform
9 the post mortem examination, including an autopsy, or take other actions that are
10 appropriate under the circumstances [NECESSARY] to make a proper determination
11 of the cause of death and to execute the prescribed death certificate. When the state
12 medical examiner has completed the examination, the examiner shall, without delay,
13 complete, certify, and sign the death certificate and submit a report of the
14 examiner's findings and conclusions to the coroner.

15 (b) The coroner may order an inquest under this chapter if the findings and
16 conclusions of the state medical examiner, together with other information available
17 to the coroner, warrant the inquest. Otherwise the coroner shall enter an order
18 dispensing with the inquest and shall record the certificate of death as prescribed by
19 law.

20 * Sec. 3. AS 12.65.020 is amended by adding a new subsection to read:

21 (c) The Department of Health and Social Services shall adopt regulations to
22 implement (a) of this section after consultation with the Department of Public Safety
23 and the Alaska Court System.

24 * Sec. 4. AS 39.25.110(13) is amended to read:

25 (13) the state medical examiner appointed under AS 12.65.015 and
26 physicians licensed to practice in this state and employed by the division of mental
27 health and developmental disabilities in the Department of Health and Social Services
28 or by the Department of Corrections;



Official Business

COMMITTEE:

SENATE STATE AFFAIRS

DATE: 4/5/93

Subject of meeting:

SB 145 POSITION OF STATE MEDICAL EXAMINER

SIGN-IN

PLEASE PRINT!

NAME

ADDRESS (MAILING) & (ZIP)

PHONE

REPRESENTING

DO YOU WANT TO TESTIFY?

✓ Art Snowden	203 K St	267-0547	COURTS	yes
✓ Betty Hangrave	Rm 516 Capitol	465-3767	Sen Rieger	yes
✓ Ken Buschhoff	DPS	465-4336	Public Safety	yes
JAYNE ANDREES	SPWS, Homer	235-7712		
CATHY SCHINDLER	AWAIC ANCH	279-9571	AWAIC	yes
Marylou Papp				
✓ [unclear]	[unclear]	[unclear]	[unclear]	[unclear]
Ann Pence	325 S Spruce			
✓ Al Zangri			OHSS Bureau of Vital Statistics	yes

1. cost \rightarrow suggestions on how to save?

2. why not work for Court system?

* Med. by am located same place
as dec. who should / should not

SB145

PHTS - pediatric pathologist ← PITS considering hiring

Dr. Dan Rogers ^{against} - 1 of 3 Bd cert. forensic pathologists in AK
takes several days to get lab work done -
body decomposes in that time

CO deaths
fire - used to cover murder

major problem is funding - "that's an accounting problem"

we can reduce costs - should get together w/
folks to discuss

we are doing a better job than other states
formerly did autopsies in funeral homes - to justify crime lab
policy set to do autopsies in crime lab
SOD cases

Kew Bischoff

> 60% of autopsies done in DPS facilities
DPS crime lab

Elmer Linstrom

4/5/93 9:25 a SB145

Betty Hargrave - repr. Sen. Kieger

Dr Peter Nakamura - support

good procedure now
problem w/ budgets - supplemental needed
projected shortfall of \$200k this yr

Costs

- 1. services of pathologist = 53%
- 2. funeral home - support 33
- 3. transportation to/from 14
- 4. toxicological exams 100

824
 -110
 -150
 -100

no body internal who can make cause of death determination

have to put cause of death on a death certificate

autopsies - Druc, Fai, Ktn

Art Snowden - support

suggestion -

- 1. give to Court System
 - 2. give to health care side
- } not a solo

35-40 states have medical examiners