

## Department of Planning and Budget 2002 Fiscal Impact Statement

**1. Bill Number:** HB396

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Broman

**3. Committee:** Health, Welfare and Institutions

**4. Title:** Health; investigation of deaths.

**5. Summary/Purpose:** This bill adds residents of state mental health or mental retardation facilities who have died to the list of those deaths that must be reported to the Medical Examiner of the locality in which the facility is located. A copy of the autopsy must be provided to the Commissioner of and Inspector General for Mental Health, Mental Retardation and Substance Abuse Services.

**6. Fiscal Impact Estimates are:** Final.

**7. Budget amendment necessary:** No.

**8. Fiscal implications:** Currently, deaths in Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) mental health and mental retardation facilities are not reported to the Medical Examiner. However, if there is any suspicion of foul play or if the death is sudden, without a medical history that would explain the cause of death, deaths are reported to the Medical Examiner and to the State Police. The Inspector General for Mental Health, Mental Retardation and Substance Abuse Services and the Chief Medical Examiner have both recommended reporting any death in a state mental health or mental retardation facility to the Medical Examiner. It would then be the Medical Examiner's decision whether or not an autopsy is conducted.

A review of data on annual DMHMRSAS total facility deaths for FY1999, FY2000 and FY2001 indicates there are an average of 92 deaths per year. Based on the Chief Medical Examiner's information for the number and cost for autopsied and non-autopsied deaths, it would cost \$111,850 each year to comply with requirements of this legislation. This cost is based on the Chief Medical Examiner's estimate that 60% or 55 deaths out of an average of 92 total facility deaths would require an autopsy, at a fee of \$2,000 per case, resulting in \$110,000. This fee includes Medical Examiner case and scene fees, supplies, transportation and professional costs. The remaining 47% or 37 cases would not require an autopsy and would cost \$50 per case or \$1,850.

These costs would be ongoing and it is anticipated that they can be absorbed within existing resources by the DMHMRSAS facilities.

**9. Specific agency or political subdivisions affected:** Department of Mental Health, Mental Retardation and Substance Abuse Services, Office of the Medical Examiner.

**10. Technical amendment necessary:** No.

**11. Other comments:** None.

**Date:** 1/16/02/jlv

**Document:** G:\02-04\Efis02\Hb396.Doc Janet Vogelgesang

cc:SecretaryofHealthandHumanResources