

## Department of Planning and Budget 2008 Fiscal Impact Statement

1. **Bill Number:** SB354

House of Origin     Introduced    \_\_\_ Substitute    \_\_\_ Engrossed  
 Second House        \_\_\_ In Committee    \_\_\_ Substitute    \_\_\_ Enrolled

2. **Patron:** Deeds

3. **Committee:** Education and Health

4. **Title:**        **Medical examiner's investigation; examination of body**

5. **Summary:** Specifies that a medical examiner investigating a suspicious death shall examine the dead body in-person, either at the scene of death or another location, before making his or her report to the Chief Medical Examiner.

6. **Fiscal Impact Estimates:**

**Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>		<i>Positions</i>
	<i>GF</i>	<i>NGF</i>	
2008	-	-	0.0
2009	\$4,380,072	-	24.0
2010	\$4,478,234	-	24.0
2011	\$4,478,234	-	24.0
2012	\$4,478,234	-	24.0
2013	\$4,478,234	-	24.0

7. **Budget Amendment Necessary:** Yes.

8. **Fiscal Implications:** By removing the language “take charge of the dead body,” the medical examiner would no longer be in charge of the dead bodies in cases that they are required to investigate for cause and manner of death. The bodies would remain in the custody of the person or institution reporting the decedent’s case to the medical examiner, usually law enforcement agencies or hospitals, and the medical examiner would no longer have the authority to move the body to the appropriate location for examination or autopsy. Given this, the body may or may not be transported to one of the four districts for investigation and exam, and the forensic pathologist and autopsy technician would travel to the location of the body. A suitable examination room would need to be available for evidence collection. An investigation and exam includes, for example, specimens drawn, x-rays obtained, and autopsies performed. Of the 6,000 deaths that occur annually in the Commonwealth under the jurisdiction of the medical examiner, approximately 1,000 deaths require an investigation and exam. The Virginia Department of Health (VDH) cannot determine the number of bodies that will be examined outside of the district facility, but it could double the current staff requirements given the possible need to travel to the body.

The following costs may be incurred based on approximately 1,000 deaths that require an investigation and exam in the Commonwealth annually:

	<b>FY 2009</b>	<b>FY 2010</b>
Travel - \$200 to locality (some overnight) with supplies	\$200,000	\$200,000
Rental of Exam Rooms - \$600 per case (based on past rental of hospital rooms)	\$600,000	\$600,000
12 Forensic Pathologists - (avg. salary \$170,000, with \$40,412 benefits) *	\$2,524,944	\$2,524,944
12 Autopsy Technicians - (avg. salary \$30,000, with \$13,794 benefits) *	\$525,528	\$525,528
One-time Computer Costs - (\$800)	\$9,600	
On-going VITA costs - (\$1,379)		\$16,548
Salary Increase of three percent		\$91,214
Exhumations	\$520,000	\$520,000
<b>TOTAL</b>	<b>\$4,380,072</b>	<b>\$4,478,234</b>

\* Due to the travel for the forensic pathologists and autopsy technician to the locality of the body (other than the district), there may need to be additional positions to cover the number of cases.

In addition, there are some cases in which the body may have already been buried. Currently, these cases are investigated following the review of medical and law enforcement records, and interviews with family and/or friends for the history and the circumstances of death. The bodies in retrospective cases are usually not examined by a medical examiner in-person and they are not exhumed as part of the investigation. If the medical examiner is mandated to examine the dead body in-person, then the body would have to be exhumed. If an exhumation is requested by a Commonwealth's Attorney, the expense would be borne by the locality of death. However, when the medical examiner does a retrospective review, as when a case is discovered after burial and needs to be reviewed, the exhumation of that body would be at the expense of the State. The location of the body and where the investigation and exam will take place could have a fiscal impact. In addition, there is a cost for the exhumation. There is currently an average of four retrospective cases a week, which would have an estimated cost of \$520,000 (\$2,500 X 52 weeks a year) for exhumation.

**9. Specific Agency or Political Subdivisions Affected:** Virginia Department of Health, local governments, law enforcement agencies, and hospitals and health care facilities.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** No.

**Date:** 1/16/2008 lrj

**Document:** SB354.doc

cc: Secretary of Health and Human Resources