

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 17, 2009

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB312 by Wentworth (Relating to the regulation and certification of medical examiners and the conduct of autopsy and inquest investigations by justices of the peace and medical examiners; providing penalties.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend various sections of the Code of Criminal Procedure relating to requirements for justices of the peace and medical examiners regarding autopsies and investigations. Among the changes that would have a fiscal impact would be the requirement that a chief medical examiner hold an inquest when a person dies within 24 hours after the person was placed into law enforcement custody or dies as a result of medical treatment or therapy. Various reporting requirements by medical examiners to county officials under current statute would be removed.

The office of a medical examiner would be required to submit an application for accreditation by the National Association of Medical Examiners or equivalent organization not later than the second anniversary of the date the office is established and to obtain accreditation not later than the second anniversary after submitting the application. However, a medical examiner's office that was established on or before the effective date of the bill, which would be September 1, 2009, would not be required to obtain certification until September 1, 2013.

Local Government Impact

The fiscal impact to local governments regarding inquests of deaths of persons in law enforcement custody or as a result of medical treatment or therapy would depend on the number of such deaths that occur. The costs are not anticipated to be significant. As an example of potential impact, Midland County (2000 U.S. Census population of 116,009) reports that the current cost of performing an autopsy is \$2,000.

Costs of obtaining accreditation would depend on how closely matched existing procedures are to those required for accreditation. The costs are not anticipated to be significant.

Source Agencies: 503 Texas Medical Board

LBB Staff: JOB, MN, DB, TP