

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 220

Short Title: Medical Examiner Fee.

(Public)

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Sponsors: Representative Jeralds.

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Referred to: Human Resources.

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March 7, 1991

A BILL TO BE ENTITLED

AN ACT TO INCREASE MEDICAL EXAMINER'S FEES TO MEET INCREASED COSTS AND TO ASSESS THE FEES AGAINST THE COUNTY WHERE THE DEATH OR FATAL INJURY OCCURRED IF THE DECEASED IS A RESIDENT OF THAT COUNTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-387 reads as rewritten:

**"§ 130A-387. Fees.**

For each investigation and prompt filing of the required report, the medical examiner shall receive a fee paid by the State. However, if the deceased is a resident of the county in which the death or fatal injury occurred, that county shall pay the fee. The fee shall be in an amount determined reasonable and appropriate by the Secretary, but shall not exceed ~~fifty dollars (\$50.00)~~ one hundred dollars (\$100.00)."

Sec. 2. G.S. 130A-389(a) reads as rewritten:

**"§ 130A-389. Autopsies.**

(a) If, in the opinion of the medical examiner investigating the case or of the Chief Medical Examiner, it is advisable and in the public interest that an autopsy or other study be made; or, if an autopsy or other study is requested by the district attorney of the county or by any superior court judge, an autopsy or other study shall be made by the Chief Medical Examiner or by a competent pathologist designated by the Chief Medical Examiner. A complete autopsy report of findings and interpretations, prepared on forms designated for the purpose, shall be submitted promptly to the Chief Medical Examiner. Copies of the report shall be furnished the authorizing medical examiner, district attorney or superior court judge. A copy of the report shall be furnished to other

1 persons upon request. A fee for the autopsy or other study shall be paid by the State.  
2 However, if the deceased is a resident of the county in which the death or fatal injury  
3 occurred, that county shall pay the fee. The fee shall be in an amount determined  
4 reasonable and appropriate by the Secretary, but shall not exceed ~~four hundred dollars~~  
5 ~~(\$400.00)~~ eight hundred dollars (\$800.00)."

6 Sec. 3. G.S. 130A-390(a) reads as rewritten:

7 **"§ 130A-390. Exhumations.**

8 (a) In any case of death described in G.S. 130A-383 or 130A- 384 where the  
9 body is buried without investigation by a medical examiner as to the cause and manner  
10 of death or where sufficient cause develops for further investigation after a body is  
11 buried as determined by a county medical examiner or the Chief Medical Examiner, the  
12 Chief Medical Examiner shall authorize an investigation and send a report of the  
13 investigation with recommendations to the appropriate district attorney. The district  
14 attorney may forward the report to the superior court judge and petition for  
15 disinterment. The judge may order that the body be exhumed and that an autopsy be  
16 performed by the Chief Medical Examiner. A report of the autopsy and other  
17 pathological studies shall be delivered to the judge. The cost of the exhumation,  
18 autopsy, transportation and disposition of the body shall be paid by the State. However,  
19 if the deceased is a resident of the county in which death or fatal injury occurred, that  
20 county shall pay the cost."

21 Sec. 4. This act becomes effective July 1, 1991.