

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 3392

By: Christian

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5
6 AS INTRODUCED

7 An Act relating to public health and safety; amending
8 63 O.S. 2001, Section 948, as amended by Section 1,
9 Chapter 559, O.S.L. 2004 (63 O.S. Supp. 2009, Section
10 948), which relates to compensation for
11 investigations performed by the Chief Medical
12 Examiner; clarifying language; and providing an
13 effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 63 O.S. 2001, Section 948, as
16 amended by Section 1, Chapter 559, O.S.L. 2004 (63 O.S. Supp. 2009,
17 Section 948), is amended to read as follows:

18 Section 948. A. For each investigation or partial
19 investigation in which the medical examiner is relieved by the Chief
20 Medical Examiner or a designee, the medical examiner shall receive
21 compensation for such services as provided in the rules approved and
22 promulgated by the Board of Medicolegal Investigations, from funds
23 appropriated to the Board of Medicolegal Investigations. Where, in
24 the opinion of the Chief Medical Examiner, it is necessary to
designate a consultant pathologist to perform an autopsy, such

1 pathologist shall be entitled to a reasonable fee. Such fee or fees
2 shall be payable from funds appropriated to the Board of Medicolegal
3 Investigations.

4 B. The Office of the Chief Medical Examiner (OCME) shall store
5 biological specimens in the control of the OCME for the potential
6 purpose of independent analyses in matters of civil law, only upon
7 receipt of a written request for such storage and payment of a
8 storage fee. The fee shall be paid by the person requesting storage
9 to the Office of the Chief Medical Examiner. The Board shall
10 promulgate rules establishing a fee for storage of such biological
11 specimens which shall not exceed One Hundred Dollars (\$100.00) per
12 year. All fees collected pursuant to the provisions of this
13 subsection shall be deposited to the credit of the Office of the
14 Chief Medical Examiner Toxicology Laboratory Revolving Fund.

15 C. 1. The Office of the Chief Medical Examiner (OCME) is
16 authorized to perform drug screens on specimens in the custody of
17 the OCME, provided the request is made by an agency or party
18 authorized to receive such information. The OCME may limit drug
19 screens within the technical and physical capabilities of the OCME.

20 2. The authorization for drug screens shall apply only to
21 specimens from cases already within the jurisdiction of the OCME and
22 only when the analyses are deemed by the Chief Medical Examiner or
23 Deputy Chief Medical Examiner not to conflict with any investigation
24 of the case by the state.

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3. The Board of Medicolegal Investigations shall establish a fee for drug screen services by rule. All fees collected pursuant to the provisions of this subsection shall be deposited to the Chief Medical Examiner Toxicology Laboratory Revolving Fund.

SECTION 2. This act shall become effective November 1, 2010.

52-2-9130 AM 01/05/10