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February 8, 2024

By: Daniels

An Act relating to medicolegal investigations; amending 63 O.S. 2021, Section 948.1, which relates to fee schedule; increasing certain fee range; clarifying applicability of certain fee; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 948.1, is amended to read as follows:

Section 948.1. A. The Board of Medicolegal Investigations may establish a fee schedule for forensic services, permits and reports rendered to members of the public and other agencies.

1. No fee schedule may be established or amended by the Board except during a regular legislative session. The Board shall comply with the Administrative Procedures Act for adoption of rules and establishing or amending any such fee schedule.

2. Except as otherwise specified in this section, the Board shall charge fees only within the following ranges:

a. permit for cremations that occur within the state:

~~One Hundred Dollars (\$100.00)~~ Two Hundred Dollars

1 (\$200.00) to Two Hundred Dollars (\$200.00) Two Hundred
2 Seventy-five Dollars (\$275.00),

3 b. forensic science service: One Hundred Dollars
4 (\$100.00) to Three Thousand Dollars (\$3,000.00),

5 c. report copies: Ten Dollars (\$10.00) for report of
6 investigation, including toxicology, and Twenty
7 Dollars (\$20.00) for an autopsy report, including
8 toxicology,

9 d. x-rays: Fifteen Dollars (\$15.00) each,

10 e. microscopic slides, Hematoxylin, and Eosin (H&E): Ten
11 Dollars (\$10.00) each,

12 f. special stains: Fifteen Dollars (\$15.00) each, and

13 g. photographs: Twenty-five Dollars (\$25.00) per compact
14 disc (CD) or other suitable digital storage media.

15 3. Medical examiner permit certificates shall be required in
16 cases investigated solely for the purpose of issuing a permit for
17 transporting a body out of state.

18 4. The Board of Medicolegal Investigations shall charge a fee
19 for an investigation and issuance of an out-of-state ~~shipment of~~
20 transport permit for human remains ~~whenever the Office of the Chief~~
21 ~~Medical Examiner has not been required to conduct an investigation~~
22 ~~of the death.~~

1 5. An out-of-state transport permit and cremation permit shall
2 both be required for bodies containing body parts sent out of state
3 or out of country, while remaining body parts remain unused.

4 B. The Board shall base the fee schedule for forensic science
5 services, permits and reports upon reasonable costs of review,
6 investigation and forensic science service delivery; provided,
7 however, the fee schedule shall be within the ranges specified in
8 subsection A of this section. The Board shall continue a system of
9 basic and continuing educational service and training for all
10 personnel who render forensic science services in order to ensure
11 uniform statewide application of the rules of the Board. The Board
12 shall consider the reasonable costs associated with such training
13 and continuing education in setting the forensic science service
14 fees.

15 C. The Board may exempt by rule any agency or class of
16 individuals from the requirements of the fee schedule if the Board
17 determines that the fees would cause an unreasonable economic
18 hardship or would otherwise hinder or conflict with an agency's
19 responsibilities.

20 D. All statutory fees currently in effect for permits or
21 forensic science services administered by the Chief Medical Examiner
22 and the Board of Medicolegal Investigations within the jurisdiction
23 of the Office of the Chief Medical Examiner shall remain in effect
24 until such time as the Board acts to implement new schedules

1 pursuant to the provisions of this section and Section 948 of this
2 title.

3 SECTION 2. This act shall become effective November 1, 2024.

4 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
5 February 8, 2024 - DO PASS
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