

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4317-01
Bill No.: SB 1189
Subject: Public Officers; Hospitals; Funerals and Funeral Directors
Type: Original
Date: February 16, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Attorney General, Office of State Courts Administrator, and Department of Health and Senior Services** assume this proposal would not fiscally impact their agencies.

Officials of the **Department of Social Services (DOS)** assume this proposal could have minimal fiscal impact from cases that meet the Child Fatality Review Team criteria. The State could realize some new cost for child autopsies. Officials assume that the State could possibly be required to pay for cost of autopsy on individuals living outside of St. Louis City, Kansas City, and St. Louis County. Officials assume there could be an equal amount of savings to those political subdivisions. **Oversight** assumes the DOS can absorb the cost.

Officials of the **St. Louis County Medical Examiner's Office** did not respond to our fiscal note request. However, in a similar proposal from the prior session, they stated this proposal has the potential for huge fiscal repercussions. Officials stated the main costs will be the section which includes sending the cases back to the originating county for autopsy and investigation. Officials assume the State will have to bear the costs of autopsies on children which are now included in the budgets of the City of Kansas City, St. Louis, and St. Louis County. In addition officials

ASSUMPTION (continued)

assume there would be increased costs to Coroner counties for autopsies on other cases which are now done by those metropolitan counties. Officials stated there are currently a sizable number of people who die in the metropolitan areas which are handled by the Medical Examiner's Office and under this proposal would be sent back into Coroner counties.

Oversight assumes there would be a transfer of liability for the costs of conducting an autopsy when a person has been transferred from one county or state to another county. Oversight assumes that the county where the individual was transferred from would be responsible for the cost and investigation, and not the county where the individual is determined to be dead. **Because the same amount of cost of conducting the autopsy by one county would be paid by the transferring county there would be no net fiscal impact to local governments.**

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal modifies how the place of death of an individual is determined. An individual who is being transferred into this state from another or from one county within this state to another, for emergency medical treatment and who dies in transit or while in the emergency room, the place of from which the individual was first removed.

The coroner or medical examiner from the transferring county is responsible for the death certificate and investigating the cause and manner of death. However, a coroner or medical

examiner in the county where the individual actually dies may upon authorization of the coroner
DESCRIPTION (continued)

or medical examiner of the transferring county, investigate and conduct postmortem examinations at the expense of the transferring county.

The coroner, medical examiner or emergency room staff of the county where the individual actually dies must immediately notify the proper authorities of the transferring county, and shall make available information necessary to conduct a death investigation.

If an individual who has been transferred across state or county lines seeking medical treatment dies after being admitted as a patient to a medical facility, the coroner or medical examiner of the county where the individual actually dies or the medical facility must notify the proper authorities of the transferring county of the death.

In the case of death by homicide, suicide, accident, child fatality or any unusual or suspicious manner the investigation of the cause and manner of death shall revert to the county of origin.

Except as provided elsewhere in this act, following the death of an individual, if the body is transferred to another county or state for the purpose of burial, the transferring county is responsible for the death certificate and death investigation.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Attorney General
Office of State Courts Administrator
Department of Health and Senior Services
Department of Social Services

NOT RESPONDING:

Sheriffs of: Greene, Callaway, Clark, Johnson, and St. Louis Counties

City Police of: St. Louis, Kansas City, Columbia, and St. Charles

County Medical Examiners of: Greene, Jackson, St. Louis, and Boone Counties



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Director
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