



127th MAINE LEGISLATURE

SECOND REGULAR SESSION-2016

Legislative Document

No. 1565

S.P. 617

In Senate, January 21, 2016

An Act To Attract and Retain Medical Examiners by Increasing the Fees for Services Provided by Medical Examiners

Submitted by the Department of the Attorney General pursuant to Joint Rule 203.
Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator BURNS of Washington.
Cosponsored by Representative HOBBS of Saco.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §3024, first ¶**, as amended by PL 2013, c. 368, Pt. CC, §1, is
3 further amended to read:

4 The salary of the Chief Medical Examiner of the State must be set by the Governor.
5 Other nonsalaried medical examiners and nonsalaried medicolegal death investigators,
6 upon the submission of their completed report to the Chief Medical Examiner, must be
7 paid a fee of up to ~~\$85~~ \$100 for an inspection and view and are entitled to receive travel
8 expenses to be calculated at the mileage rate currently paid to state employees pursuant to
9 Title 5, section 8. An additional fee of \$50 may be authorized by the Chief Medical
10 Examiner for payment to other nonsalaried medical examiners and nonsalaried
11 medicolegal death investigators for visits to death scenes other than hospitals.

12 **Sec. 2. 22 MRSA §3035, sub-§1, ¶¶A and B**, as enacted by PL 1997, c. 598,
13 §1, are amended to read:

14 A. For report documents, the fees are as follows:

- 15 (1) Report documents when no autopsy has been performed, ~~\$10~~ \$15;
- 16 (2) Report documents when an autopsy has been performed, ~~\$25~~ \$35; and
- 17 (3) Report documents under subparagraphs (1) and (2) accompanied by a
18 certificate under section 3022, subsection 6, an additional fee of \$35, \$25 of
19 which accrues to the Secretary of State;

20 B. For histological slides, the fees are as follows:

- 21 (1) For each slide, ~~\$10~~ \$12.50;
- 22 (2) A handling fee per case, ~~\$20~~ \$25; and
- 23 (3) For 21 slides or more, an additional handling fee, ~~\$20~~ \$25; and

24 **Sec. 3. 32 MRSA §1405, 2nd ¶**, as amended by PL 2007, c. 225, §1, is further
25 amended to read:

26 The body of a deceased person may not be cremated within 48 hours after death
27 unless the person died of a contagious or infectious disease, and in no event may the body
28 of a deceased person be cremated, buried at sea, used by medical science or removed
29 from the State until the person, firm or corporation in charge of the disposition has
30 received a certificate from a duly appointed medical examiner that the medical examiner
31 has made personal inquiry into the cause and manner of death and is satisfied that further
32 examination or judicial inquiry concerning the cause and manner of death is not
33 necessary. This certificate, a certified copy of the death certificate and a burial transit
34 permit when presented by the authorized person as defined in Title 22, section 2846 is
35 sufficient authority for cremation, burial at sea, use by medical science or removal from
36 the State, and the person, firm or corporation in charge of the disposition may not refuse
37 to cremate or otherwise dispose of the body solely because these documents are presented
38 by such an authorized person. The certificate must be retained by the person, firm or
39 corporation in charge of the cremation or disposition for a period of 15 years. For the

1 certificate, the medical examiner must receive a fee of ~~\$15~~ \$25 payable by the person
2 requesting the certificate. This fee may be waived at the discretion of the Chief Medical
3 Examiner.

4 **SUMMARY**

5 This bill increases the maximum fee allowed to be paid to a nonsalaried medical
6 examiner or a nonsalaried medicolegal death investigator for an inspection and view.

7 It increases the fees charged by the Department of the Attorney General, Office of
8 Chief Medical Examiner for providing report documents and histological slides. It also
9 increases the fee charged by a medical examiner for a certificate that is required for
10 cremation and allows this fee to be waived at the discretion of the Chief Medical
11 Examiner.