

A.

LOCAL LAW 10 - 2011

A LOCAL LAW RELATING TO CERTAIN FEES COLLECTED BY THE ONONDAGA COUNTY HEALTH DEPARTMENT CENTER FOR FORENSIC SCIENCES FOR MEDICAL EXAMINER AND FORENSIC LABORATORY SERVICES, AND FURTHER AMENDING LOCAL LAW NO. 13 - 2006, AS PREVIOUSLY AMENDED BY LOCAL LAW NO. 23 - 2008 AND LOCAL LAW NO. 20 - 2009

BE IT ENACTED BY THE ONONDAGA COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA, NEW YORK, AS FOLLOWS:

Section 1. Local Law No. 13 - 2006, as previously amended by Local Law No. 23 - 2008 and Local Law No. 20-2009, which established a fee schedule for services performed through the Center for Forensic Sciences, collected by the Onondaga County Commissioner of Health, hereby is amended to further amend Exhibits A and B therein to be consistent with the following:

Office of the Medical Examiner
Exhibit A

Description of Service to be Provided	Fee
Autopsy/ Examinations:	
External Examination	\$565/case
Internal Examination	\$1,245/case
Special Cases (listed below):	\$1,800/case
Infectious (Biohazard) Prisoners/inmates (internal exam only)	
Exhumations	
Repeat Autopsies Suspected Hazardous Material	
Skeletal Examinations	
Human remains	\$1,800/case
Non-human remains	\$125/case
Private Autopsy	\$3,200/case
Non-Medical Examiner/Case Review:	\$130/case

For all instances listed below in which there is an hourly fee, the amount of time spent on a particular service shall be billed to the client in half-hour increments.

Case Review/ Testimony – Civil:

Initial Pathologist Case Review/Consultation*	\$800/case
Pathologist Case Review/Consultation, additional hours	\$400/hr
Non-Pathologist Case Review/Consultation	\$260/hr
Pathologist Civil Court Testimony/Deposition	\$400/hr
Non-Pathologist Civil Court Testimony/Deposition	\$260/hr
Clerical Staff – record research, retrieval, coordination	\$35/hr

*Initial case review requires written authorization from the legal next of kin and an \$800, non-refundable payment at the time of consultation payable to the Onondaga County Health Department Fiscal Officer. Initial payment includes up to two (2) hours case review / consultation. Additional time is billed at the current hourly rate.

Case Review/ Testimony – Criminal:

Pathologist Case Review/Consultation – Contract County	\$250/hr
Pathologist Case Review/Consultation – Non-contract County	\$400/hr
Pathologist Court Testimony/Deposition – Contract County	\$250/hr
Pathologist Court Testimony/Deposition – Non-Contract County	\$400/hr
Non-Pathologist Court Testimony/Deposition – Contract County	\$100/hr

Travel Expenses:

Travel Time (portal to portal)	\$155/hr
Mileage (current IRS rate), parking, tolls, meals, lodging, Actual cost and per diem expenses	

Scene Investigation:

Pathologist scene response	\$210/hr
Forensic Investigator Scene Response	\$110/hr
Pathologist and Forensic Investigator Scene Response	\$275/hr

Reports/ Other Records: Subject to legal restrictions

Autopsy Report (includes autopsy, microscopic, neuropathology, toxicology and consultation reports)	\$45/report
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Photocopy of file, less those listed in item above	\$0.75/page
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Subpoena – Administrative Fee – Civil (in addition to above fees if not in more recent two-year period)	\$20/each
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Additional rush charges incurred will be billed at actual cost. At the discretion of the Medical Examiner, payment may be required before service is provided.

Imaging/Histology/X-rays:

Microscopic Slide Recuts		\$20/slide
Microscopic Slide Special Stains	At cost, plus	\$15/ handling fee
Microscopic Digital Images		\$5/image
X-ray Film Copies		\$25/film
X-ray Digital Images		\$5/image
Prints – 35 mm slide		\$10/print
Digital Images CD/DVD		\$15/per CD

Decedent Storage/ Resting Fee: No charge if obtained within 24 hours of notification to pick up. Following 24 hour period(s), or any portion thereof	\$110/day
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Body Bags:

Heavy bag	\$50/bag
Light bag	\$25/bag
Oversized bag	\$105/bag
BioSeal® Containment	\$260/case

Toxicology*:

Post-Mortem and DWI	
Volatiles (including ethanol)	\$50
Confirmation of Volatiles	\$50
Volatiles and Immunoassay Screen	\$100
Volatiles, Immunoassay Screen and Comprehensive Drug Screen	\$185
Volatiles, Immunoassay Screen and Comprehensive Drug Screen with Confirmation	\$235
Quantitation of Positives (per analyte, per source)	\$75/analyte
Special Victim Testing	
Comprehensive Drug-Facilitated Sexual Assault Confirmation and Quantitation of Positives	\$265 \$75/analyte
Additional Services	
Carbon Monoxide (with automatic confirmation of positive)	\$45
Cyanide Screen	\$45
Ethylene Glycol Screen	\$50

*Analyses performed by reference laboratories will be billed at actual cost.

Forensic Laboratories
Exhibit B

Description of Service to be Provided

Fee

Forensic Biology/DNA:

Body Fluid Identification and/or DNA Analysis	\$1,200/per case
Cases with more than 8 items will incur an additional charge of	\$300 per sample
Body Fluid Identification Only	\$400/per case

Firearms:

Firearms analysis without Comparison	\$275.00/case
Firearms analysis with Comparison	\$450.00/case

Forensic Chemistry:

Fire Debris Analysis	\$250/case
Solid Dose Drug Analysis (includes quantitation, if applicable)	\$250/case

Trace:

Hair, Headlamp Bulb Filament, Fiber and Textiles, Pressure-Sensitive Adhesives (tapes), and Glass Analysis	\$400/case
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Latent Prints:

Latent Print Analysis – Processing Only	\$275.00/case
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Latent Print Analysis – Full Analysis \$450.00/case

Digital Evidence Analysis \$50.00/hour

Criminalistics:

Other criminalistics tests Consult Lab

For all instances listed below in which there is an hourly fee, the amount of time spent on a particular service shall be billed to the client in half-hour increments.

Court Testimony/Deposition – Expert Witnesses \$200.00/hr

Travel Expenses:

Travel time (portal to portal) \$200.00/hr

Mileage (current IRS rate), parking, tolls, meals, lodging, Actual cost and per diem expenses Actual per case

Administrative Fees and Miscellaneous Expenses:

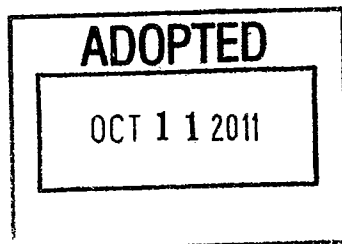
File Research/Retrieval Fee (Archived): Actual per case
Photocopies \$0.25/page

Section 2. The procedures for the collection of such fees shall be as prescribed by the appropriate laws of the State and any amendments thereto or determined by the Commissioner of Health where the State has not enacted procedures.

Section 3. In all other respects, Local Law No. 13-2006, as previously amended by Local Law No. 23-2008 and Local Law No. 20-2009, shall remain in full force and effect except as specifically amended herein.

Section 4. This Local Law shall take effect on January 1, 2012 and shall be filed pursuant to provisions of the Municipal Home Rule Law.

Health – CFS fees.doc
KMB 09.12.11
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I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

11th DAY OF October, 2011.

Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

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RECEIVED
ONONDAGA COUNTY
LEGISLATURE