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LOCAL LAW 13 - 2016

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

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, established a fee schedule for services performed through the Center for Forensic Sciences, collected by the Onondaga County Commissioner of Health. Exhibits A and B are hereby entirely stricken, with the following to be substituted therefor:

OFFICE OF THE MEDICAL EXAMINER

Exhibit A

Description of Service to be Provided	Fee
EXAMINATIONS:	
Autopsy Examination – contract rate	\$1,700/case
Autopsy Examination – non-contract rate	\$2,500/case
External Examination – contract rate	\$1,000/case
External Examination – non-contract rate	\$1,500/case
Special Cases (listed below) – contract rate	\$2,300/case
Special Cases (listed below) – non-contract rate	\$3,500/case
Bariatric (BMI greater than or equal to 40)	
Sudden Infant Death	
Infectious (Biohazard)	
Exhumations	
Repeat Autopsies	
Suspected Hazardous Material	
SKELETAL EXAMINATIONS:	
Human Remains – contract rate	\$1,900/case
Human Remains – non-contract rate	\$2,700/case
Non-Human Remains	\$200/case
Prisoner/Inmate Autopsy Examinations	\$4,000/case
Private Autopsy	\$5,000/case
SPECIALIZED TESTING AND CONSULTATIONS	
Eye Pathology	At Cost
DNA Testing	
Molecular/Genetic Testing	
Mass Fatality Incident	
NON-MEDICAL EXAMINER/CASE REVIEW	
Contract rate	\$200/case
Non-contract rate	\$300/case
ON-CALL SERVICE*	
On-call service - contract rate	\$300/date scheduled

On-call service - non-contract rate \$600/date scheduled

*\*On-call service may be requested when an outside county coroner/medical examiner is unable to cover death notifications. The OCMEO will receive all death notifications directly from law enforcement and other agencies to establish jurisdiction on behalf of the county requesting the service. Each date scheduled, regardless of the number of hours covered, will be charged at the flat rate above.*

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/CONSULTATION:

Initial Forensic Pathologist Case Review/Consultation*	\$900/hr
Forensic Pathologist Case Review/Consultation, additional hours	\$450/hr
Forensic Investigator Case Review/Consultation	\$300/hr
Forensic Chemist Case Review/Consultation	\$350/hr
Toxicologist Case Review/Consultation	\$400/hr

*\*Initial case review requires written authorization from the legal next-of-kin and a \$900 non-refundable payment at the time of consultation payable to the Onondaga County Health Department. Initial payment includes up to two (2) hours case review/consultation. Additional time is billed at the current hourly rate.*

TESTIMONY

Contract Counties	
Forensic Pathologist Testimony/Deposition	\$300/hr
Forensic Investigator or Forensic Autopsy Technician Testimony/Deposition	\$150/hr
Toxicologist Testimony/Deposition	\$250/hr
Forensic Chemist Case Review/Consultation	\$200/hr
Non-CFS Consultants	Direct Invoice to District Attorney/ Other Attorney

Consultation/Non-Contract Counties	
Forensic Pathologist Testimony/Deposition	\$450/hr
Forensic Investigator or Forensic Autopsy Technician Testimony/Deposition	\$300/hr
Toxicologist Testimony/Deposition	\$400/hr
Forensic Chemist Testimony/Deposition	\$350/hr
Non-CFS Consultants	Direct Invoice to District Attorney/ Other Attorney

SCENE INVESTIGATION

Forensic Investigator Scene Response	\$250/hr
Forensic Pathologist and Forensic Investigator Scene Response	\$450/hr

TRAVEL EXPENSES

Travel Time (portal to portal)	\$150/hr
Mileage (current IRS rate), parking, tolls, meals, lodging	Actual Cost and pier diem expenses

REPORTS/OTHER RECORDS (Subject to legal restrictions):

Autopsy Report (includes autopsy and toxicology reports)	\$50/report
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Record Processing Fee	\$25/case
Archived Processing Fee (records older than 7 years)	\$100/case
Photocopy of additional records with signed judicial subpoena	\$0.75/page

(Additional rush charges incurred shall be billed at actual cost. At the discretion of the Medical Examiner, payment may be required before service is provided.)

**IMAGING/HISTOLOGY/X-RAYS:**

Autopsy and Scene Investigation Images CD	\$20/disc
Microscopic Slide Recut	\$30/slide
Microscopic Slide Special Stains	At cost
Microscopic Digital Images	\$5/image
X-ray Film Copy	\$30/copy
X-ray Digital Images	\$20/image
Prints – 35mm Slide	\$15/slide

**TOXICOLOGY\***

Driving Under Influence – Alcohol & Drugs	\$300/case
Driving Under Influence – Alcohol	\$85/case
Driving Under Influence – Drugs	\$275/case
Comprehensive Drug-Facilitated Sexual Assault	\$300/case
Postmortem Toxicology (without pathology examination)	\$300/case
Postmortem Toxicology (with pathology examination)	(included in the exam fee)

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

**FORENSIC LABORATORIES**

**Exhibit B**

Description of Service to be Provided	Fee
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**FORENSIC BIOLOGY/DNA**

Body Fluid Identification and/or DNA Analysis	\$1,260/case (Cases with more than 8 samples will incur an additional charge of \$315/sample)
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Body Fluid Identification Only	\$420/case
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**FIREARMS**

Firearms Analysis without Comparison	\$288.75/case
Firearms Analysis with Comparison	\$472.50/case (Cases with more than 10 samples will incur an additional charge of \$50/sample)

**FORENSIC CHEMISTRY  
FIRE DEBRIS**

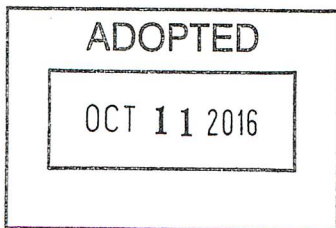
Fire Debris Analysis	\$262.50/case
<b>DRUG ANALYSIS</b>	
Solid Dose Drug Analysis (includes quantitation, if applicable)	\$262.50/case (Cases with more than 10 samples will incur additional charge of \$25/sample)
<b>LATENT PRINTS</b>	
Latent Print Analysis – Processing Only	\$288.75/sample
Latent Print Analysis – Full Analysis	\$472.50/sample (Cases with more than 10 samples will incur additional charge of \$50/sample)
<b>DIGITAL EVIDENCE</b>	
Digital Evidence Analysis	\$52.50/hr
*Contact lab for case estimate	
<b>CRIMINALISTICS</b>	
Other Criminalistics Tests	Consult Lab
<b>CASE REVIEW/TESTIMONY – CRIMINAL</b>	
(Time billed in 1/2 hour increments)	
Court Testimony/Deposition – Expert Witness	\$200/hr
<b>TRAVEL EXPENSES</b>	
(Time billed in 1/2 hour increments)	
Travel Time (portal to portal)	\$200/hr
Mileage (current IRS rate), parking, tolls, meals, lodging	Actual Cost and pier diem expenses
<b>MISCELLANEOUS FEES</b>	
File Research/Retrieval Fee (from archive)	Actual cost
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 Nos. 23-2008, 20-2009, 10-2011, 9-2012, and 11-2014, shall remain in full force and effect except as specifically amended herein.

Section 4. This Local Law shall take effect on January 1, 2017, and shall be filed pursuant to provisions of the Municipal Home Rule Law.

LL Fees CFS – Health.docx  
KMB  
Cln  
dak



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 11<sup>th</sup> DAY OF October, 20 16.

*Deborah A. Matuso*

CLERK, COUNTY LEGISLATURE  
ONONDAGA COUNTY, NEW YORK

16 SEP 29 AM 10:23

ONONDAGA COUNTY  
LEGISLATURE