

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 220  
Committee Substitute Favorable 5/7/91

Short Title: Medical Examiner Fee.

(Public)

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Sponsors:

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Referred to:

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March 7, 1991

A BILL TO BE ENTITLED

1 AN ACT TO INCREASE MEDICAL EXAMINER'S FEES TO MEET INCREASED  
2 COSTS AND TO ASSESS THE FEES AGAINST THE COUNTY WHERE THE  
3 DEATH OR FATAL INJURY OCCURRED IF THE DECEASED IS A RESIDENT  
4 OF THAT COUNTY.  
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6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 130A-387 reads as rewritten:

8 "**§ 130A-387. Fees.**

9 For each investigation and prompt filing of the required report, the medical examiner  
10 shall receive a fee paid by the State. However, if the deceased is a resident of the county  
11 in which the death or fatal injury occurred, that county shall pay the fee. The fee shall  
12 be ~~in an amount determined reasonable and appropriate by the Secretary, but shall not exceed~~  
13 ~~fifty dollars (\$50.00).~~ seventy-five dollars (\$75.00)."

14 Sec. 2. G.S. 130A-389(a) reads as rewritten:

15 "(a) If, in the opinion of the medical examiner investigating the case or of the  
16 Chief Medical Examiner, it is advisable and in the public interest that an autopsy or  
17 other study be made; or, if an autopsy or other study is requested by the district attorney  
18 of the county or by any superior court judge, an autopsy or other study shall be made by  
19 the Chief Medical Examiner or by a competent pathologist designated by the Chief  
20 Medical Examiner. A complete autopsy report of findings and interpretations, prepared  
21 on forms designated for the purpose, shall be submitted promptly to the Chief Medical  
22 Examiner. Copies of the report shall be furnished the authorizing medical examiner,  
23 district attorney or superior court judge. A copy of the report shall be furnished to other

1 persons upon request. A fee for the autopsy or other study shall be paid by the State.  
2 However, if the deceased is a resident of the county in which the death or fatal injury  
3 occurred, that county shall pay the fee. The fee shall be ~~in an amount determined~~  
4 ~~reasonable and appropriate by the Secretary, but shall not exceed four hundred dollars~~  
5 ~~(\$400.00).~~ four hundred dollars (\$400.00)."

6 Sec. 3. G.S. 130A-390(a) reads as rewritten:

7 "(a) In any case of death described in G.S. 130A-383 or 130A- 384 where the  
8 body is buried without investigation by a medical examiner as to the cause and manner  
9 of death or where sufficient cause develops for further investigation after a body is  
10 buried as determined by a county medical examiner or the Chief Medical Examiner, the  
11 Chief Medical Examiner shall authorize an investigation and send a report of the  
12 investigation with recommendations to the appropriate district attorney. The district  
13 attorney may forward the report to the superior court judge and petition for  
14 disinterment. The judge may order that the body be exhumed and that an autopsy be  
15 performed by the Chief Medical Examiner. A report of the autopsy and other  
16 pathological studies shall be delivered to the judge. The cost of the exhumation,  
17 autopsy, transportation and disposition of the body shall be paid by the State. However,  
18 if the deceased is a resident of the county in which death or fatal injury occurred, that  
19 county shall pay the cost."

20 Sec. 4. This act becomes effective July 1, 1991.