

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Onondaga

FILED
STATE RECORDS
DEC 23 2016

DEPARTMENT OF STATE

Local Law No. 13 of the year 2016

A local law RELATING TO CERTAIN FEES COLLECTED BY THE ONONDAGA COUNTY HEALTH
(Insert Title)
DEPARTMENT CENTER FOR FORENSIC SCIENCES FOR MEDICAL EXAMINER AND
FORENSIC LABORATORY SERVICES

Be it enacted by the Onondaga County Legislature of the
(Name of Legislative Body)

County City Town Village
(Select one.)

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

(If additional space is needed, attach pages the same size as this sheet, and number each.)

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

	At Cost
Eye Pathology	
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
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
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)
Body Fluid Identification Only	\$420/case
FIREARMS Firearms Analysis without Comparison Firearms Analysis with Comparison	\$288.75/case \$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
DRUG ANALYSIS Solid Dose Drug Analysis (includes quantitation, if applicable)	\$262.50/case (Cases with more than 10 samples will incur additional charge of \$25/sample)
LATENT PRINTS Latent Print Analysis – Processing Only Latent Print Analysis – Full Analysis	\$288.75/sample \$472.50/sample (Cases with more than 10 samples will incur additional charge of \$50/sample)
DIGITAL EVIDENCE Digital Evidence Analysis *Contact lab for case estimate	\$52.50/hr
CRIMINALISTICS Other Criminalistics Tests	Consult Lab
CASE REVIEW/TESTIMONY – CRIMINAL (Time billed in 1/2 hour increments) Court Testimony/Deposition – Expert Witness	\$200/hr

TRAVEL EXPENSES

(Time billed in 1/2 hour increments)

Travel Time (portal to portal)

Mileage (current IRS rate), parking, tolls, meals, lodging

\$200/hr

Actual Cost
and per diem expenses

MISCELLANEOUS FEES

File Research/Retrieval Fee (from archive)

Photocopies

Actual cost

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
CIm
dak

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) _____ (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) _____ (repassed after disapproval) by the _____ on _____ 20____.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. 13 of 2016 of the (County)(~~City~~)(~~Town~~)(~~Village~~) of Onondaga was duly passed by the County Legislature on October 11, 2016, and was (approved)(~~not approved~~) _____ (repassed after disapproval) by the County Executive on October 26, 2016. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of December 10, 2016, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 4 above.

Deborah A. Maturo
Clerk of the county legislative body, ~~City of Albany, State of New York~~
office designated by local legislative body

Date: December 13, 2016

(Seal)