

BOARD of SUPERVISORS



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August 19, 2020

File No. 200839

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On August 19, 2020, the Budget and Appropriations Committee amended the following legislation:

File No. 200839

Ordinance amending the Administrative Code to adjust fees of the Office of the Chief Medical Examiner to include post-mortem investigation services, remove references to obsolete services, and update fee amounts; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

Linda Wong

By: Linda Wong, Assistant Clerk
Budget and Finance Committee

Attachment

c: Devyani Jain, Environmental Planning
Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning
Laura Lynch, Environmental Planning

1 [Administrative Code - Medical Examiner Fees]

2
3 **Ordinance amending the Administrative Code to adjust fees of the Office of the Chief**
4 **Medical Examiner to include post-mortem investigation services, remove references to**
5 **obsolete services, and update fee amounts; and affirming the Planning Department's**
6 **determination under the California Environmental Quality Act.**

7 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
8 **Additions to Codes** are in *single-underline italics Times New Roman font*.
9 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
10 **Board amendment additions** are in double-underlined Arial font.
11 **Board amendment deletions** are in ~~strikethrough Arial font~~.
12 **Asterisks (* * * *)** indicate the omission of unchanged Code
13 subsections or parts of tables.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. Environmental Findings. The Planning Department has determined that the
16 actions contemplated in this ordinance comply with the California Environmental Quality Act
17 (California Public Resources Code Sections 21000 et seq.). Said determination is on file with
18 the Clerk of the Board of Supervisors in File No. ____ and is incorporated herein by reference.
19 The Board affirms this determination.

20 Section 2. Chapter 8 of the Administrative Code is hereby amended by revising
21 Section 8.14, to read as follows:

22 (a) The Office of the Chief Medical Examiner is hereby authorized to charge the
23 following fees to any persons or government agencies, including departments or agencies of
24 the City and County of San Francisco, that request or require such documents or services:
25

1	Proof of death letter	\$7 <u>910</u>
2	Statement of non-contagion	7 <u>910</u>
3	Certified copy of Medical Examiner's report	34 <u>4647</u>
4	Disaster bag	49 <u>6667</u>
5	<i>Forensic autopsy by request</i>	3,274
6	<i>X-rays, per film</i>	113
7	Copies of X-rays, per film	24 <u>3233</u>
8	Re-cut microscopic slides, per slide	24 <u>3233</u>
9	Storage of remains, per day	56 <u>7577</u>
10	Removal of remains from place of death to OCME facility, Medical Examiner's cases	461 <u>621632</u>
11		
12	<i>Transport of remains from rest homes or other agencies, non Medical Examiner's cases</i>	113
13		
14	Cremation of remains by request <i>with approval of OCME</i>	873 <u>1,1761,196</u>
15	Certified forensic toxicology report	12 <u>16</u>
16	Certified supporting documentation for results of forensic toxicology report, per page	.90 <u>1</u>
17		
18	Packaging and delivery of subpoenaed records to court	18 <u>2223</u>
19	Specimen storage, per month	28 <u>38</u>
20	Expert testimony or consultation by OCME toxicologist (non-Ph.D.), per hour	282 <u>380386</u> /hour**
21		
22	Expert testimony or consultation by OCME toxicologist (Ph.D.), per hour	400 <u>539548</u> **
23	Expert testimony or consultation by OCME forensic pathologist, per hour	584 <u>787800</u> **
24	Expert testimony or consultation by OCME investigator, per hour	282 <u>380386</u> **
25		

1	<i>Drug screening in blood or urine by ELISA (4 common drug categories)</i>	400
2	<i>Drug screening in blood or urine by ELISA (8 common drug categories)</i>	600
3	<i>Drug screening in blood or urine by ELISA (12 common drug categories)</i>	800
4	Drug screening in blood or urine by GC/MS (<i>gas chromatography with</i>	1,200 1,617 <u>1,644</u>
5	<i>mass spectrometry</i>)	
6	Drug confirmation in urine, per drug	300 404 <u>411</u>
7	Drug confirmation and quantitation in blood, per drug	300 404 <u>411</u>
8	Drug screening in gastric contents or tissue by GC/MS	1,500 2,021 <u>2,056</u>
9	Drug confirmation in gastric contents or tissue, per drug	400 539 <u>548</u>
10	Date rape drug screening in urine	1,200 1,616 <u>1,644</u>
11	Date rape drug confirmation in urine, per drug	300 404 <u>411</u>
12	Drug screening and confirmation in hair, per hair specimen	4,000 5,389 <u>5,481</u>
13	Decedent's property mailing fee	40 54 <u>55</u>
14	Histology service, including embedding, cutting, routine H & E staining	120 162 <u>164</u>
15	and coverslipping, per 4 cassettes	
16	Forensic alcohol analysis, per case	160 <u>100</u>
17	Drug screening and confirmation in nails, per nail specimen	1,143 1,540 <u>1,566</u>
18	Preparation of specimen for shipment or release	60 74 <u>75</u>
19	<i>Postmortem Comprehensive Drug Analysis</i>	<u>360</u>
20	<i>Postmortem Comprehensive Expanded Drug Analysis</i>	<u>525</u>
21	<i>Postmortem Comprehensive Drug and Alcohol Analysis</i>	<u>400</u>
22	<i>Postmortem Comprehensive Expanded Drug and Alcohol Analysis</i>	<u>525</u>
23	<i>Postmortem Carbon Monoxide Analysis</i>	<u>95</u>
24	<i>Postmortem Biochemistry (Electrolytes) Analysis</i>	<u>95</u>
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** Travel and accommodation charges will be the responsibility of the requesting party.

Except as otherwise provided by law, the Office of the Chief Medical Examiner is authorized to charge a fee on a time-and-materials basis to issue documents or perform services other than those specified above. The fee charged shall not exceed the actual cost that the OCME incurs in providing the document or service to the requesting party.

(b) All cases brought into the Medical Examiner’s Office facility shall be billed for transportation, personnel handling, and storage costs, except for the following categories of cases:

- (1) Decedents under 14 years of age;
- (2) Homicides;
- (3) In custody or police-involved cases;
- (4) Indigents (County disposition);
- (5) Cases in which private charitable funds available to pay funeral costs would thereby be reduced so as to preclude payment;
- (6) Cases specifically exempted by the Chief Medical Examiner or his or her designee.

(c) Beginning with fiscal year 2003-2004, fees set in this Section 8.14 may be adjusted each year, without further action by the Board of Supervisors, to reflect changes in the relevant Consumer Price Index, as determined by the Controller.

No later than April 15~~th~~ of each year, the Medical Examiner’s Office shall submit its current fee schedule to the Controller, who shall apply the price index adjustment to produce a new fee schedule for the following year. The adjusted rates shall become operative on July 1.

1 (d) All fees received for documents and services mentioned in this Section 8.14 shall
2 be deposited with the Treasurer and shall be used to defray the costs incurred by the Medical
3 Examiner in issuing such documents or providing such services.

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5 Section 3. Effective Date. This ordinance shall become effective 30 days after
6 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
7 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
8 of Supervisors overrides the Mayor's veto of the ordinance.

9
10 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
11 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
12 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
13 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
14 additions, and Board amendment deletions in accordance with the "Note" that appears under
15 the official title of the ordinance.

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18 APPROVED AS TO FORM:
19 DENNIS J. HERRERA, City Attorney

20 By: s/ David K. Ries
21 DAVID K. RIES
22 Deputy City Attorney

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