

17-3622
ORDINANCE AMENDMENT

Sponsored by
THE HONORABLE TONI PRECKWINKLE,
PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

AN AMENDMENT TO THE COOK COUNTY MEDICAL EXAMINER'S ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 38 Health and Human Services, Article VI Medical Examiner, Division 1 Generally, Sections. 38-113 through 38-144 of the Cook County Code, is hereby amended as follows:

DIVISION 1. - GENERALLY

Sec. 38-113. - Duties.

The Medical Examiner has and shall exercise the powers, duties, responsibilities, functions and authority provided by ordinance for those purposes and functions. Any abuse by the Medical Examiner of the authority contained in this ordinance ~~[article]~~ shall be deemed cause for removal.

Sec. 38-132. - Identified body; public disposition.

Where the Medical Examiner has no legal reason for retaining a body and an authorized person cannot or will not assume responsibility for final disposition of the decedent within 30 days of the death of the decedent, the Medical Examiner shall have the authority to dispose of the body by public disposition. Notwithstanding the above, where the decedent's next of kin objects to public disposition by donation to science prior to transfer of the body, the Medical Examiner's Office shall have the authority to dispose of the body by cremation. Disposition of fetal remains may be by burial when available or by cremation.

Sec. 38-136. - Permission to embalm.

In the interest of public health and hygiene and the preservation of the dignity of the deceased, ~~anybody~~ any body that is stored in the facility more than three days after death may be embalmed at the discretion of the Medical Examiner without the permission of the deceased person's next-of-kin.

Sec. 38-139. - Permit required for cremation.

(a) Where the remains of any dead human body are to be cremated, thus becoming unavailable for later examination, it shall be the duty of the funeral director or person having custody of the dead human body to obtain from the Medical Examiner a ~~P~~permit to ~~C~~cremate.

(b) The Medical Examiner may deny a ~~P~~permit to ~~C~~cremate, if it is necessary to preserve the body for law enforcement purposes.

(c) The Medical Examiner's ~~P~~permit shall be presented to the local registrar in applying for the permit for disposition of a dead human body provided for in 410 ILCS 535/21 of the "Vital Records Act," as heretofore or hereafter amended.

(d) No crematory shall cremate a dead human body unless a permit for disposition of a dead human body with an attached Medical Examiner's ~~P~~permit to ~~C~~cremate has been furnished to authorize the cremation.

Sec. 38-144. - Fees.

The Medical Examiner shall charge the following fees with the amounts as set in Section 32-1 of this Code.

- (1) Autopsy report.
- (2) Toxicology report.
- (3) Miscellaneous reports, including artist's drawings, but not including police reports.
- (4) Permit to ~~C~~cremate a dead human body obtained from the Office of the Medical Examiner, by facsimile or electronic filing, unless the Medical Examiner determines that the decedent and the authorized person is indigent and unable to pay the permit fee, or other special circumstances warrant fee waiver in the Medical Examiner's discretion.
- (5) Return fee. The return fee is charged to funeral homes that pick up bodies from the Medical Examiner's Office and then request to return them to the Office after determining that the family has no funds for burial. This cost would include the cost of the burial shell and the burial cost.
- (6) Death certificate amendment fee. Fee is charged if the amendment is made later than one year of the person's death (due to a return by ~~F~~funeral ~~H~~home). The Office of the Medical Examiner is charged by the Illinois Department of Vital Records for amendments made to a death certificate after one year of the death.

- (7) Storage fee. This fee covers bodies returned (by funeral homes) to the Office of the Medical Examiner for storage while families secure funds for burial services and bodies brought to the Medical Examiner's Office from hospice, nursing homes, and hospitals for cases not falling under Medical Examiner jurisdiction as defined in Section 38-118. The ability to accept cases for storage will be at the discretion of the Medical Examiner and will depend on the current and anticipated morgue census. This "storage fee" discourages the use of the Office of the Medical Examiner as a storage location for non-Medical Examiner cases or cases that have been discharged from the Medical Examiner's Office to funeral homes and encourages funeral directors to verify that families have funds for burial prior to removing a body from the Office of the Medical Examiner. In the cases of funeral homes, this "storage fee" would replace the "return fee" if a funeral home returns a body and picks it up again within ten days. If the body being stored is not picked up within ten days from the date of storage, the body will be disposed of in accordance with Sec. 38-132. ~~held and buried by the County according to the standard operating procedures of the Medical Examiner~~
- (8) Photographs, radiographs, and histology slides.
- (9) Charge to non-County owned hospitals for the acceptance of fetal remains not falling under the jurisdiction of the Medical Examiner.
- (10) Confirmation of death letter.
- (11) Tissue procurement morgue use fee. Fee charged to a certified facility or program seeking to procure tissue from bodies located at the Medical Examiner's Office. The fee covers tissue procurement per body by a tissue procurement facility or program authorized by the Medical Examiner.
- (12) Student and resident rotation fee. Fee charged to institutions outside of Cook County providing student and resident rotations at the Medical Examiner's Office to offset the County's costs for disposable supplies as well as the staff time supervising the rotation.
- (13) Staff supervision of external experts. Fee charged to individuals requesting to review slides, images and/or records at the Medical Examiner's Office to offset staff costs for supervising such review.
- (14) Toxicology send-out fees. Fee charged for processing, packaging and shipping specimens to reference labs at the request of the decedent's next-of-kin for testing.
- (15) Lab use fee. Fee charged to institutions authorized by the Medical Examiner and County Board to use the Medical Examiner's Office and supplies for teaching purposes.
- (16) Expert witness fees. Fees will be charged to attorneys for case review, expert consultation and trial/deposition time for the Chief Medical Examiner, Assistant Chief Medical Examiner Assistant Medical Examiners, and Toxicologists for Medical Examiner cases leading to civil litigation. The Chief Medical Examiner shall be authorized to waive or reduce said fees where warranted and shall be authorized to issue regulations regarding expert witness fees. Such fees will not apply to criminal proceedings related to Medical Examiner cases.

- (17) Cremation Fee. Fee charged for cremation and storage of decedents cremated and stored by Cook County. Cremation fees shall be paid to the Cook County Medical Examiner prior to the release of the cremated remains, unless the Medical Examiner determines that the decedent and the authorized person is indigent and unable to pay the cremation fee, or other special circumstances warrant fee waiver in the Medical Examiner's discretion.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 32 Fees, Sec. 32-1 of the Cook County Code is hereby amended as follows:

Sec. 32-1. Fee schedule.

The fees or charges provided for or required by the below-listed sections shall be as shown below:

CHAPTER 38, HEALTH AND HUMAN SERVICES

38-144(1)	Autopsy report	50.00
38-144(2)	Toxicology report	25.00
38-144(3)	Miscellaneous reports, including artist's drawings, but not including police reports	25.00
38-144(4)	Permit to cremate a dead human body	50.00
38-144(5)	Return fee	300.00
38-144(6)	Death certificate amendment fee	20.00
38-144(7)	Storage fee, per day (not to exceed \$500.00)	500.00
38-144(8)	Photographs, radiographs, histology slides	actual cost or \$3.00 whichever is greater
38-144(9)	Charge to non-county owned hospitals for the acceptance of fetal remains not falling under the jurisdiction of the medical examiner, per fetus	100.00
38-144(10)	Confirmation of death letter, per letter	5.00
38-144(11)	Tissue procurement morgue use fee, per case	250.00
38-144(12)	Student and resident rotation fees, per month	500.00
38-144(13)	Staff supervision of external experts fee, per hour, one hour minimum	100.00

38-144(14)	Toxicology send-out fee	100.00
38-144(15)	Laboratory use fee, per weekday (subject to waiver)	100 <u>250</u> .00
38-144(16)	Expert witness fee, Chief Medical Examiner, per hour, one hour minimum (subject to waiver)	500 <u>600</u> .00
38-144(16)	Expert witness fee, Assistant Chief Medical Examiner, per hour, one hour minimum (subject to waiver)	450 <u>550</u> .00
38-144(16)	Expert witness fee, Assistant Medical Examiners and Toxicologists, per hour, one hour minimum (subject to waiver)	400 <u>500</u> .00
38-144(17)	Cremation fee (subject to waiver)	100 <u>250</u> .00

Effective date: This Ordinance Amendment shall be in effect immediately in relation to the Ordinance Amendments provided in Chapter 38, Sections 38-113 through 38-144; the fee Ordinance Amendments provided in Chapter 32 Fees, Section 32-1 in regards to Section 38-144 shall take effect on December 1, 2017.

Approved and adopted this 19th of July 2017.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk