



MURIEL BOWSER
MAYOR

November 23, 2020

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

Enclosed for consideration and approval by the Council of the District of Columbia is the "Office of the Chief Medical Examiner Amendment Act of 2020."

The Office of the Chief Medical Examiner (OCME) is one of the leading facilities of its kind in the United States. This distinction has been achieved through diligent efforts in maintaining the highest level of accreditations, conducting research, and teaching. OCME, in order to maintain and further improve the quality of work it performs for the residents of the District, has the opportunity to perform services for agencies of the federal government, other states, and other governmental and non-governmental entities.

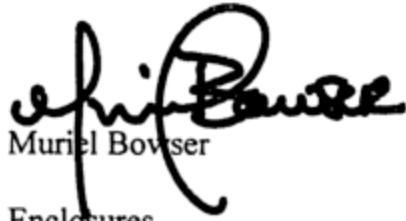
For example, the U.S. Capitol Police and U.S. Park Police have made requests of OCME for toxicology services, and the U.S. Departments of Justice and State have sought forensic pathology consultations. In addition, private pathologists and laboratories have sought peer review and consultation and foreign governments have inquired as to OCME's ability to train their professionals and perform toxicology services. Where capacity exists and appropriate charges can be negotiated, performing such work would be a fiscally responsible way of reducing the net costs of continuing to provide premier services to the District and would help maintain and improve the quality of services provided by OCME.

Therefore, this bill would authorize OCME to perform services for governmental and non-governmental entities, to charge a fee for those services, and to deposit the fees into a newly created special account that would be used to support the personnel and non-personnel costs of OCME.

I urge prompt consideration and approval of this measure.

If you have any questions on this matter, please contact Roger A. Mitchell, Jr., MD, Chief Medical Examiner, at (202) 698-9001.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser". The signature is written in a cursive, flowing style with a large initial "M".

Muriel Bowser

Enclosures


Chairman Phil Mendelson
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Establishment of the Office of the Chief Medical Examiner Act of 2000 to authorize the Office of the Chief Medical Examiner to provide ancillary services and to establish the Office of the Chief Medical Examiner Fund.

BE IT ENACTED BY THE, COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Office of the Chief Medical Examiner Amendment Act of 2020”.

Sec. 2. The Establishment of the Office of the Chief Medical Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1401 *et seq.*), is amended as follows:

(a) Section 2905 (D.C. Official Code § 5-1404) is amended as follows:

(1) A new subsection (a-1) is added to read as follows:

“(a-1) The CME may provide pathology and toxicology services to other District agencies, non-District government agencies, and private entities and may establish fees or require the payment of costs for the provision of such services.”

(2) Subsection (b) is amended to read as follows:

“(b) The CME, and OCME employees authorized by the CME, may teach post-secondary, medical, and law school classes, conduct special classes for law enforcement personnel, conduct research, and engage in other activities related to their work.”

(3) Subsection (d) is amended to read as follows:

32 “(d) The CME, or the CME’s designee, shall attend all reviews of deaths by fatality
33 review committees and boards of the District government. The CME shall coordinate with such
34 boards and committees in their investigations of deaths.”

35 (b) A new section 2918(c) is added to read as follows:

36 “Sec. 2918(c). Office of the Chief Medical Examiner Fund.

37 “(a) There is established as a special fund the Office of the Chief Medical Examiner Fund
38 (“Fund”), which shall be administered by the CME in accordance with subsection (c) of this
39 section.

40 “(b) All fees received by OCME for services provided under section 2905(a-1) shall be
41 deposited into the Fund.

42 “(c) Money in the Fund shall be used for personnel and non-personnel expenses of
43 OCME.

44 “(d) The money deposited into the Fund but not expended in a fiscal year shall not revert
45 to the unassigned fund balance of the General Fund of the District of Columbia at the end of a
46 fiscal year or at any other time.”

47 Sec. 3. Fiscal impact statement.

48 The Council adopts the fiscal impact statement in the committee report as the fiscal
49 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
50 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

51 Sec. 4. Effective date.

52 This act shall take effect following approval by the Mayor (or in the event of veto by the
53 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
54 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
55 24, 1973 (87 Stat. 813; D.C. Official Code § 1- 206.02(c)(1)), and publication in the District of

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL



ATTORNEY GENERAL
KARL A. RACINE

Legal Counsel Division

MEMORANDUM

TO: Ronan Gulstone
Executive Director
Office of Policy and Legislative Affairs

FROM: Brian K. Flowers
Deputy Attorney General
Legal Counsel Division

DATE: November 20, 2020

SUBJECT: Legal Sufficiency Review of Legislation Entitled the "Office of the Chief
Medical Examiner Amendment Act of 2020"
(AE-20-744B)

This is to Certify that this Office has reviewed the above-referenced Legislation and found it to be legally unobjectionable. If you have any questions, please do not hesitate to call me at 724-5524.

BKF/A.Parker

Brian K. Flowers

BKF/cpe