



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: S.B. 28 of the 131st G.A.

Date: April 27, 2016

Status: As Introduced

Sponsor: Sen. Patton

Local Impact Statement Procedure Required: No

Contents: Requires the Director of Health to survey coroners and laboratories concerning the collection, retention, and processing of blood and tissue specimens for postmortem genetic testing, to recommend policy, and to establish an advisory council

State Fiscal Highlights

- The Ohio Department of Health would experience an increase in administrative costs of approximately \$21,000 to survey coroners and laboratories, recommend legislative and fiscal policy, and to establish an advisory council to assist with these responsibilities.

Local Fiscal Highlights

- Each county could realize a minimal increase in administrative costs related to the completion of the required survey for coroners.

Detailed Fiscal Analysis

Surveys for coroners and laboratories

The bill requires the Director of Health to survey each coroner in the state for the purpose of determining the circumstances under which, and how, each coroner collects and retains blood and tissue specimens from autopsies and submits the specimens to laboratories for postmortem genetic testing. The Director is required to consult with an advisory council, which is established under the bill, when designing and conducting the survey. The survey will seek the following information from each coroner: (1) the protocols governing whether blood and tissue specimens will be retained from an autopsy with the intent to submit the specimens for postmortem genetic testing, who collects the specimens and how they are collected and retained, which laboratories receive the specimens, and what is done with the test results once they are received, (2) the resources the coroner uses to collect and retain the specimens, including personnel, equipment, and materials, and (3) if the coroner does not currently retain specimens using the process known as "flash freezing" or "snap freezing," the resources

the coroner estimates would be needed to initiate and use this process in lieu of current specimen retention processes.

The bill also requires the Director to identify and survey each laboratory in the state that performs postmortem genetic testing. The Director is required to consult with the advisory council when designing and conducting this survey as well. The survey will seek the following information from each laboratory: (1) the number and type of postmortem genetic tests performed in each of the last five years, (2) the laboratory's ability to increase the number of postmortem genetic tests performed annually, (3) the laboratory's requirements for receiving specimens to be tested, and (4) the laboratory's charges for testing.

Advisory council

The bill requires the Director to establish the above-mentioned advisory council to assist with designing and conducting the surveys. The advisory council is to consist of medical professionals or researchers who are knowledgeable about the processes used to collect and retain blood and tissue specimens for postmortem genetic testing and at least one coroner. Advisory council members are to serve without compensation, except to the extent that serving on the advisory council is considered part of their regular employment duties. The Ohio Department of Health (ODH) staff are required to provide technical and administrative assistance to the advisory council.

Report

Under the bill, the Director and advisory council are required to submit a report to the General Assembly not later than 90 days after the effective date. The report shall summarize the information collected from the surveys and recommend legislative and fiscal policies that would do both of the following: (1) authorize the next of kin of a deceased person on whom an autopsy is performed because the person died suddenly and unexpectedly to request that blood or tissue specimens be collected during the autopsy, retained, and submitted for postmortem genetic testing paid for by the next of kin, and (2) require a coroner to collect, retain, and submit for postmortem genetic testing those specimens in a manner that meets requirements established by the laboratories. Upon the submission of the report, the advisory council shall cease to exist.

Fiscal effect

ODH will experience an increase in administrative costs of approximately \$21,000 to survey coroners and laboratories, provide technical and administrative assistance to the advisory council, and to develop the required report.

County coroner's offices will also experience an increase in costs to complete the survey. However, according to a representative from the Ohio State Coroners Association, these costs would likely be minimal, but would depend on the nature of the survey and the amount of time it takes to complete.