

The Connecticut General Assembly

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Memorandum

To: Legislative Regulation Review Committee
From: Legislative Commissioners' Office
Committee Meeting Date: October 22, 2019

Regulation No:	2019-22
Agency:	Office of the Chief Medical Examiner
Subject Matter:	Duties of the Office of the Chief Medical Examiner
Statutory Authority: (copy attached)	19a-401, 19a-403

	Yes or No
Mandatory	Y
Federal Requirement	N
Permissive	N

For the Committee's Information:

Substantive Concerns:

Technical Corrections:

1. On page 1, in the introductory language to Section 1., "19a-401-1 through 19a-401-5" should be "19a-401-1 to 19a-401-5, inclusive," for proper form.
2. On page 1, in section 19a-401-1, "19a-401-1 to 19a-401-17, inclusive" should be "19a-401-1 to 19a-401-6, inclusive, 19a-401-9, 19a-401-10, and 19a-401-12 to 19a-401-17, inclusive," for proper form.
3. On page 1, in sections 19a-401-1(a) and 19a-401-1(b), "shall mean" should be "[shall mean] means" for proper form.
4. On page 1, in section 19a-401-1(c), the opening quotation mark after "Institution" should be a closed quotation mark and "shall have the same meaning [mean any institution defined] as provided" should be "[shall mean any institution] has the same meaning as provided" for proper form.
5. On page 1, in section 19a-401-2, "Medicolegal Investigations Act," should be "Medicolegal Investigations Act [,]" for proper form.
6. On page 1, in section 19a-401-2(c), "and" should be added following the semi-colon for proper form.
7. On page 1, in section 19a-401-3(a), the underscored comma following "qualifications" should be deleted for proper form.
8. On page 2, in section 19a-401-5, the designator for subsection (a) should be bracketed for proper form.
9. On page 3, in section 19a-401-12(a), subdivision designators (1) to (6), inclusive, should be deleted and the opening brackets before subdivision designators (1) to (6), inclusive, should instead be placed before the first word in each of the respective subdivisions for proper form. For example, "(1)[(1) telephone]" should be "(1) [telephone]".
10. On pages 3 and 4, in sections 19a-401-12(a), (c), (d) and (f), "Chief Medical Examiner" should be "[Chief Medical Examiner] chief medical examiner" for consistency.
11. On page 4, in the fifth line of section 19a-401-12(e), "subdivision" should be "subsection" for accuracy.
12. On page 4, in the first line of section 19a-401-12(f), "copies of reports" should be "copies of [reports] records" for consistency.
13. On page 5, in section 19a-401-12(h), "freedom of information act" should be "[freedom of information act] Freedom of Information Act", for proper form.
14. On page 6, in section 19a-401-17, "It shall identify" should be "[It] The request shall identify" for clarity and the three subsequent references to "inquiry" should be "[inquiry] request" for consistency.

Recommendation:

X	Approval in whole
X	with technical corrections
	with deletions
	with substitute pages
	Disapproval in whole or in part
	Rejection without prejudice

Reviewed by: Eileen Lawlor-Parker / William F. O'Shea

Date: October 11, 2019

Sec. 19a-401. (Formerly Sec. 19-526). Commission on Medicolegal Investigations. Regulations. (a) There is established a Commission on Medicolegal Investigations, as an independent administrative commission, consisting of nine members: Two full professors of pathology, two full professors of law, a member of the Connecticut Medical Society, a member of the Connecticut Bar Association, two members of the public, selected by the Governor, and the Commissioner of Public Health, or the commissioner's designee. The Governor shall appoint the two full professors of pathology and the two full professors of law from a panel of not less than four such professors in the field of medicine and four such professors in the field of law recommended by a committee composed of the deans of the recognized schools and colleges of medicine and of law in the state of Connecticut; the member of the Connecticut Medical Society from a panel of not less than three members of that society recommended by the council of that society; and the member of the Connecticut Bar Association from a panel of not less than three members of that association recommended by the board of governors of that association. Initially, one professor of pathology, one professor of law, the member of the Connecticut Medical Society, and one member of the public shall serve for six years and until their successors are appointed, and one professor of pathology, one professor of law, the member of the Connecticut Bar Association and one member of the public shall serve for three years, and until their successors are appointed. All appointments to full terms subsequent to the initial appointments shall be for six years. Vacancies shall be filled for the expiration of the term of the member being replaced in the same manner as original appointments. Members shall be eligible for reappointment under the same conditions as are applicable to initial appointments. The commission shall elect annually one of its members as chairman and one as vice chairman. Members of the commission shall receive no compensation but shall be reimbursed for their actual expenses incurred in service on the commission. The commission shall meet at least once each year and more often as its duties require, upon the request of any two members and shall meet at least once each year with those persons and groups that are affected by commission policies and procedures. The commission shall adopt its own rules for the conduct of its meetings.

(b) The commission shall adopt regulations, in accordance with chapter 54, as necessary or appropriate to carry out effectively the administrative provisions of this chapter.

Sec. 19a-403. (Formerly Sec. 19-527). Office of the Chief Medical Examiner. Fees. Regulations. (a) The Office of the Chief Medical Examiner is established to be operated under the control and supervision of the commission. The expenses of the commission and of operating said office shall be paid by the state out of funds appropriated for the purpose. The office shall be directed by a Chief Medical Examiner who shall be appointed by the commission. His office shall be located at a medical school in this state. The Chief Medical Examiner or any member of the professional staff of the Office of the Chief Medical Examiner who is summoned to give expert testimony in a civil action in his capacity as the Chief Medical Examiner or a member of the office shall be allowed and paid a witness fee of five hundred dollars for each day or portion thereof the Chief Medical Examiner or such staff member is required to attend court. Such fee shall be taxed as a part of the costs of the action and be paid by the party requesting the appearance, and any such fee received shall be deposited in the General Fund except no fee shall be imposed if the requesting party is the state.

(b) The Commission on Medicolegal Investigations shall prescribe fees to be charged for expert services, including witness and consultation services, provided by the Chief Medical Examiner or any member of the professional staff of the Office of the Chief Medical Examiner. The commission shall adopt regulations in accordance with the provisions of chapter 54 concerning the application and collection of such fees.