



2023-2024 General Assembly

# HOUSE BILL 259: 2023 Appropriations Act, Sec. 9H.7: Requirement and Funding for the Office of the Chief Medical Examiner to Conduct Toxicology Screening in all Child Death Cases Under the Jurisdiction of a Medical Examiner

**Committee:**  
**Introduced by:**  
**Analysis of:** Sec. 9H.7 of S.L. 2023-134

**Date:** December 15, 2023  
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Staff Attorney

**OVERVIEW:** Section 9H.7 of S.L. 2023-134 amends the duties of the medical examiner (G.S. 130A-385) to include conducting a comprehensive toxicology screening in all child death cases under the jurisdiction of the medical examiner.

This section provides that of the funds appropriated to the Office of the Chief Medical Examiner (OCME), Division of Public Health, Department of Health and Human Services, the recurring sum of \$164,696 for each year of the 2023-2023 fiscal biennium and the nonrecurring sum of \$550,000 for the 2023-2024 fiscal year must be allocated and used to comply with the toxicology screening requirements required by law (G.S. 130A-385(a1)). OCME may also use allocated funds to create permanent, full-time positions to enable comprehensive toxicology screening in all child deaths that fall within the jurisdiction of the medical examiner.

This section also instructs the OCME to report to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division by December 30, 2024, and December 30, 2025, on (i) the number of child deaths that fell within the medical examiner's jurisdiction, (ii) the number of child deaths reported for which the toxicology screening under this section was performed, and (iii) an explanation for any delay or failure to comply with the toxicology screening required by this section.

The addition of toxicology screening in all child death cases to the duties of the medical examiner becomes effective January 1, 2024, and applies to child death cases pending or initiated after that date. The remainder of this section became effective July 1, 2023.

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Legislative Analysis  
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