



Legislation Details (With Text)

File #: Int 1058-2013 **Version:** A **Name:** Transparency of the office of the chief medical examiner.

Type: Introduction **Status:** Enacted

In control: Committee on Health

On agenda: 6/12/2013

Enactment date: 10/13/2013 **Enactment #:** 2013/086

Title: A Local Law to amend the administrative code of the city of New York, in relation to transparency of the office of chief medical examiner.

Sponsors: Julissa Ferreras-Copeland, Maria Del Carmen Arroyo, Charles Barron, Letitia James, Peter A. Koo, G. Oliver Koppell, Brad S. Lander, Rosie Mendez, Annabel Palma, Albert Vann, James G. Van Bramer, Gale A. Brewer, Robert Jackson, Jumaane D. Williams

Indexes:

Attachments: 1. Int. No. 1058 - 6/12/13, 2. Committee Report 6/24/13, 3. Hearing Testimony 6/24/13, 4. Hearing Transcript 6/24/13, 5. Committee Report 9/12/13, 6. Hearing Transcript 9/12/13, 7. Committee Report - Stated Meeting, 8. Fiscal Impact Statement, 9. Hearing Transcript - Stated Meeting 9-12-13, 10. Mayor's Letter, 11. Local Law 86

Date	Ver.	Action By	Action	Result
6/12/2013	*	City Council	Introduced by Council	
6/12/2013	*	City Council	Referred to Comm by Council	
6/24/2013	*	Committee on Health	Hearing Held by Committee	
6/24/2013	*	Committee on Health	Laid Over by Committee	
6/24/2013	*	Committee on Women's Issues	Hearing Held by Committee	
6/24/2013	*	Committee on Women's Issues	Laid Over by Committee	
9/12/2013	*	Committee on Health	Hearing Held by Committee	
9/12/2013	*	Committee on Health	Amendment Proposed by Comm	
9/12/2013	*	Committee on Health	Amended by Committee	
9/12/2013	A	Committee on Health	Approved by Committee	Pass
9/12/2013	A	City Council	Approved by Council	Pass
10/13/2013	A	Administration	City Charter Rule Adopted	

Int. No. 1058-A

By Council Members Ferreras, Arroyo, Barron, James, Koo, Koppell, Lander, Mendez, Palma, Vann, Van Bramer, Brewer, Jackson and Williams

A Local Law to amend the administrative code of the city of New York, in relation to transparency of the office of chief medical examiner.

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-208 to read as follows:

§ 17-208 Transparency, office of chief medical examiner. a. For the purpose of this section, the following terms shall have the following meanings:

1. "Forensic DNA laboratory" shall have the same meaning as set forth in subdivision two of section nine hundred ninety-five of article forty-nine-b of the New York state executive law, or any successor provision thereto.

2. "Proficiency test" shall mean such testing as is required by the New York state commission on forensic science and the New York state subcommittee on forensic DNA laboratories and forensic DNA testing pursuant to paragraph b of subdivision three of section nine hundred ninety-five-b of article forty-nine-b of the New York state executive law, or any successor provision thereto.

3. "Proficiency testing report" shall mean an annual report produced by the office of chief medical examiner which reports the number of employees working in the department of forensic biology of the office of chief medical examiner who have taken a proficiency test that year, and the percentage and number of those employees who passed such proficiency test.

b. The office of chief medical examiner shall annually prepare a proficiency testing report and shall include comparison data for each of the previous five years as available. The proficiency testing report shall not include the names of, or otherwise identify, any employee of the department of forensic biology of the office of chief medical examiner.

c. To the extent the office of chief medical examiner is authorized to publish such materials, the office of chief medical examiner shall post prominently and maintain on its website the following concerning the department of forensic biology of the office of chief medical examiner:

1. current copies, and copies used within the preceding two years, of all manuals, guidelines, or other documents relating to scientific procedures or protocols, quality assurance and quality control procedures or

protocols, materials used for the training of lab workers, and evidence and case management procedures, including, but not limited to, accreditation standards and accreditation audit reports;

2. the most recent annual proficiency testing report; and

3. current copies of all certificates of accreditation issued to the department of forensic biology of the office of chief medical examiner, whether by a governmental entity or a non-governmental entity responsible for the accreditation of the department of forensic biology of the office of chief medical examiner.

d. Historic copies of any manual, guidelines, or other document identified in paragraph one of subdivision c of this section used on or after January first, two thousand and not fully available on the website of the office of chief medical examiner shall be made available to any person upon request, and a notice describing such availability and how to make such a request shall be posted on the office's website.

e. This section shall not be construed to create a private right of action to enforce any of its provisions.

§ 2. This local law shall take effect one hundred twenty days after its enactment into law.

LS# 4474
DSH
9/3/13