

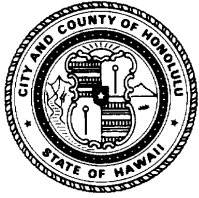
SUMMARY OF PROPOSED COMMITTEE DRAFT:

Bill 1 (2026)

**RELATING TO THE ESTABLISHMENT OF FEES AND CHARGES FOR SERVICES
OF THE DEPARTMENT OF THE MEDICAL EXAMINER.**

The PROPOSED CD1 makes the following amendments:

- A. In SECTION 2 of the bill:
 - 1. In proposed ROH Section 6.___1 ("Definitions"), amends the definition of "Non-Mandated Services" to include services required by court order; and
 - 2. In proposed ROH Section 6.___.3 ("Fees for non-mandated services"), amends subsection (b) to provide that "[i]f the actual cost of the service is less than the estimate, the department shall return the difference."
- B. Makes miscellaneous technical and nonsubstantive amendments throughout the bill.



HONOLULU CITY COUNCIL
KE KANIHELA O KE KALANA O HONOLULU
CITY AND COUNTY OF HONOLULU

ORDINANCE _____

BILL 1 (2026), CD1

PROPOSED

A BILL FOR AN ORDINANCE

RELATING TO THE ESTABLISHMENT OF FEES AND CHARGES FOR SERVICES OF THE DEPARTMENT OF THE MEDICAL EXAMINER.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Findings and purpose. The City Council finds that the Department of the Medical Examiner ("MED") has been responding to private requests for services that fall outside of the MED's duties and responsibilities, which are to perform medical investigation services to establish the cause and manner of death and to contribute legal evidence to the justice system. These private requests are frequently made by civil litigants and insurers, who request testimony from and consultation with the MED relating to a death that the MED has investigated. Family members of decedents also request the MED's services, such as seeking access to stored specimens in support of paternity testing. The performance of these services can consume significant time and resources that the MED has absorbed because the Revised Ordinances of Honolulu 2021 currently authorizes the department to charge only for the certified copy of the medical examiner's report and autopsy report.

The purpose of this ordinance is to establish fees and charges for the performance of services by the MED that it is not otherwise required by law to perform, that are reasonably related to the cost of the service being provided, and that are not among the fees that the MED is currently authorized to charge.

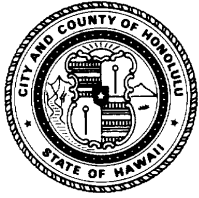
SECTION 2. Chapter 6, Revised Ordinances of Honolulu 2021 ("Funds, Fees, and Loan Program"), is amended by adding a new article to be appropriately designated by the Revisor of Ordinances and to read as follows:

"ARTICLE __: FEES FOR SERVICES OF THE DEPARTMENT OF THE MEDICAL EXAMINER

§ 6-__.1 Definitions.

For the purposes of this article, the following definitions apply unless the context clearly indicates or requires a different meaning.

Department. The department of the medical examiner.



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KE KANIHELA O KE KALANA O HONOLULU
CITY AND COUNTY OF HONOLULU

ORDINANCE _____

BILL 1 (2026), CD1

A BILL FOR AN ORDINANCE

Non-Mandated Services. Services that the department is not required by any federal, state, or local law to perform. Services required by court order are non-mandated services.

§ 6-___.2 Administration.

The medical examiner is responsible for processing requests made to the department to perform non-mandated services.

§ 6-___.3 Fees for non-mandated services.

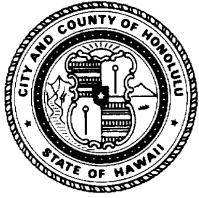
(a) *Service Fees.* When the department renders certain non-mandated services, the department shall charge the requestor reasonable fees according to the following fee schedule, as permitted by law or court order. Hourly rates beyond the minimum hours are billable in 15-minute increments.

(1) Services of Forensic Pathologist.

Service	Fee
a) Court testimony	\$300 per hour Minimum of 2 hours, including waiting time at courthouse
b) Deposition	\$300 per hour Minimum of 2 hours
c) Pre-trial or pre-deposition conference	\$300 per hour Minimum of 1 hour
d) Preparation for conference, court testimony, or deposition	\$300 per hour Minimum of 1 hour
e) Interrogatories	\$300 per hour Minimum of 1 hour
f) Court affidavit	\$100

(2) Services of Medicolegal Investigator, Medical Technologist, Custodian of Records, Autopsy Technician, or Other Staff.

Service	Fee
a) Court testimony	\$100 per hour Minimum of 1 hour, including waiting time at courthouse



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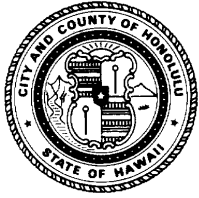
BILL 1 (2026), CD1

A BILL FOR AN ORDINANCE

Service	Fee
b) Deposition	\$100 per hour Minimum of 1 hour
c) Pre-trial or pre-deposition conference	\$100 per hour Minimum of 1 hour
d) Preparation for conference, court testimony, or deposition	\$100 per hour Minimum of 1 hour
e) Interrogatories	\$100 per hour Minimum of 1 hour
f) Court affidavit	\$100

(3) Other Fees.

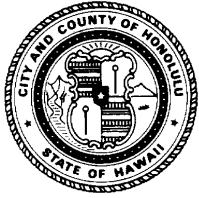
Service	Fee
a) Storage of Biological specimen longer than the records retention schedule	\$200 per fiscal year, or any part thereof, subject to pre-payment. Specimens retained beyond the requirement of the department's normal retention schedule will be subject to disposal and destruction at the end of the fiscal year, unless payment is made by June 30 to cover costs for continued retention for the subsequent fiscal year.
b) Shipping of biological specimen	\$20 handling fee per tube or container, plus actual shipping costs between the department and testing laboratory.
c) Copy of documents other than the postmortem examination report	\$20 per CD-R or hard copy, plus actual shipping costs. A flat fee of \$20 will be charged for each category of materials (documents, photos, and x-rays), regardless of whether they are provided on a single CD.



A BILL FOR AN ORDINANCE

Service	Fee
d) X-rays	\$20 per CD-R, plus the actual shipping costs. A flat fee of \$20 will be charged for each category of materials (documents, photos, and x-rays), regardless of whether they are provided on a single CD.
e) Photographs	\$20 per CD-R, plus actual shipping costs. A flat fee of \$20 will be charged for each category of materials (documents, photos, and x-rays), regardless of whether they are provided on a single CD.
f) Microscopic slides (Hematoxylin-Eosin stained or unstained)	\$25 each, plus actual shipping costs between the department and testing laboratory.
g) DNA blood card made with preserved specimen	\$40 per card, including handling fee, plus the actual shipping costs between the department and testing laboratory and/or fee for return or transport of specimen from toxicology laboratory.
h) Accommodation of experts	\$100 per hour when experts visit the department and examine saved material. Minimum of 2 hours

- (b) Upon receiving a request to perform a non-mandated service, the department shall provide an itemized written estimate of the cost for such service. Full payment of the estimated cost must be received by the department before the department commences such service. If the actual cost of the service exceeds the estimate, the department shall issue an invoice for the additional amount. If the actual cost of the service is less than the estimate, the department shall return the difference. The department may suspend or withhold delivery of any remaining services, reports, or materials until the additional amount is paid in full. All fees collected pursuant to this section must be deposited into the general fund."



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SECTION 3. This ordinance takes effect upon its approval.

INTRODUCED BY:

Tommy Waters (br)

DATE OF INTRODUCTION:

January 6, 2026
Honolulu, Hawai'i

_____ Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 ____.

RICK BLANGIARDI, Mayor
City and County of Honolulu

Report Title:

Department of the Medical Examiner ("MED"); Fees; Non-mandated Services; Charges; Costs; Autopsies; Depositions; Trial; Affidavit

Description:

Establishes fees for non-mandated services provided by the City's Department of the Medical Examiner. "Non-Mandated Services" include services provided by court order.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.