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Miss. Code Ann. § 41-61-75

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## Miss. Code Ann. § 41-61-75

### Copy Citation

Current through the 2023 Regular Session including changes and corrections authorized by the Joint Legislative Committee on Compilation, Revision and Publication of Legislation.

Mississippi Code 1972 Annotated Title 41. Public Health (Chs. 1 – 143) Chapter 61. State Medical Examiner (§§ 41-61-1 – 41-61-79) Mississippi Medical Examiner Act of 1986 (§§ 41-61-51 – 41-61-79)

### Notice

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[From and after January 1, 2024, and through December 31, 2027, this section shall read as follows:]

This section has more than one version with varying effective dates.

### § 41-61-75. Fees; expert witness; expenses; SIDS/Child Death Scene Investigation reports.

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(1) For each investigation with the preparation and submission of the required reports, the following fees shall be billed to and paid by the county for which the service is provided:

(a) A medical examiner or his deputy shall receive One Hundred Eighty-five Dollars (\$185.00) for each completed report of investigation of death, plus the examiner's actual expenses. In addition to that fee, in cases where the cause of death was sudden infant death syndrome (SIDS) and the medical examiner provides a SIDS Death Scene Investigation report, the medical examiner shall receive for completing that report an additional Fifty Dollars (\$50.00), or an additional One Hundred Dollars (\$100.00) if the medical examiner has received advanced training in child death investigations and presents to the county a certificate of completion of that advanced training. The State Medical Examiner shall develop and prescribe a uniform format and list of matters to be contained in SIDS/Child Death Scene Investigation reports, which shall be used by all





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One thousand dollars (\$1,000.00) per completed autopsy, plus mileage expenses to and from the site of the autopsy, and shall be reimbursed for any out-of-pocket expenses for third-party testing, not to exceed One Hundred Dollars (\$100.00) per autopsy.

**(2)**

**(a)** When a medical examiner, physician or pathologist is subpoenaed for appearance and testimony before a grand jury, courtroom trial or deposition as a result of their duties as a State Medical Examiner, physician or pathologist, the office with which subpoenaed professional is employed shall be entitled to bill an expert witness hourly fee and mileage expenses to and from the site of the testimony, and such amount shall be paid by the jurisdiction or party issuing the subpoena.

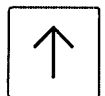
**(b)** The expert witness fee shall be set by the director, and the expert fee shall be a reasonable fee considering the prevailing rates of other comparably respected available experts. The fee under this paragraph (b) shall be made payable to the Office of the State Medical Examiner.

## History

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Laws, 1986, ch. 459, § 18; Laws, 1990, ch. 453, § 5; Laws, 1991, ch. 591, § 2; Laws, 1993, ch. 411, § 3; Laws, 1998, ch. 567, § 2; Laws, 2007, ch. 367, § 1; Laws, 2008, ch. 362, § 1; reenacted and amended, Laws, 2011, ch. 497, § 1; Laws, 2014, ch. 440, § 1; Laws, 2017, ch. 313, § 1, eff from and after July 1, 2017; Laws, 2019, ch. 485, § 10, eff from and after January 1, 2020; Laws, 2021, ch. 395, § 1, eff from and after July 1, 2021; Laws, 2021, ch. 403, § 11, eff from and after July 1, 2021; Laws, 2022, ch. 479, § 3, eff from and after July 1, 2022; Laws, 2022, ch. 497, § 9, eff from and after July 1, 2022; Laws, 2022, ch. 479, § 3, eff from and after January 1, 2024.

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