

**FORENSIC TOXICOLOGY LABORATORY
OFFICE OF CHIEF MEDICAL EXAMINER
CITY OF NEW YORK**

CONFIDENTIALITY OF CASE INFORMATION AND RESULTS

OCME CASES

The final toxicology report is issued upon completion of all necessary testing and multilevel data review. The original report is submitted to the OCME Records Department to be included in the OCME case file and scanned into the DMS. Until November 22, 2010, one copy was submitted to the pathologist (medical examiner) who performed the autopsy (or the external examination) and one copy was retained for the Forensic Toxicology Laboratory (FTL) case file to be included with all the laboratory data generated in the course of toxicologic analyses. The case file for OCME and Non-OCME cases are kept in a secure and locked area of the laboratory that only FTL staff has access. Old records are kept in two locations: a secure and locked area at 520 First Avenue (cellar level) and Department of Records and Information Services, City of New York. Effective November 22, 2010, due to a city wide paper reduction project, medical examiners are notified via e-mail that the final report was submitted to the OCME Records Department and that it can be viewed through the DMS browser.

FTL will issue reports only to the medical examiner of record. All other interested parties need to request reports from the OCME Records Department.

Litigation packages are provided to respective attorneys upon written request, subject to authorization from the Chief Medical Examiner or the General Counsel.

Preliminary results (by telephone or electronically) may be reported to the Chief Medical Examiner and the respective borough Deputy Chiefs. Reporting of preliminary results to the pathologists of record has to be authorized by the Chief Medical Examiner or the respective borough Deputy Chief with the following exception:

When all in-house toxicology results have been reported and accepted, preliminary results may be released to the pathologist of record without supervisory involvement for the purpose of determining if a specimen needs to be sent out to the reference laboratory for testing not performed in-house.

Reporting of preliminary results to any other individual has to be authorized by the Chief Medical Examiner.

Inquires from the public regarding toxicology results (families, lawyers representing families, police officers, media representatives, insurance companies, etc.) are referred to the Director of Forensic Toxicology or the Director of Public Affairs.

Any complaints against the Forensic Toxicology Laboratory regarding routine laboratory operations (turnaround time, accuracy of results, inability to do certain testing, etc.) should be referred to the Director of Forensic Toxicology. Any complaints of a legal nature should be referred to the Chief

Medical Examiner or the General Counsel.

Statements to the media may be issued only upon authorization by the Chief Medical Examiner.

NON OCME CASES

The final toxicology report is issued upon completion of all necessary testing and multilevel data review. A copy of the report is submitted to the Assistant District Attorney upon receipt of a written request. Litigation packages are provided to respective attorneys upon written request.

Preliminary results may not be reported (by telephone or electronically) unless authorized by the Chief Medical Examiner.

Inquires from the public regarding toxicology results (families, lawyers representing families, police officers, media representatives, insurance companies, etc.) are referred to the Director of Forensic Toxicology or the Director of Public Affairs.

Any complaints against the Forensic Toxicology Laboratory regarding routine laboratory operations (turnaround time, accuracy of results, inability to do certain testing, etc.) should be referred to the Director of Forensic Toxicology. Any complaints of a legal nature should be referred to the Chief Medical Examiner or the General Counsel.

Statements to the media may be issued only upon authorization by the Chief Medical Examiner.

REVISION HISTORY

Ver. 11.01.2013	Revision History implemented
Ver. 04.26.2015	Changes made to reflect current delivery of final Forensic Toxicology Reports Added exception to release of preliminary results.
Ver. 08.28.2015	Included a statement in regards to case file security in the laboratory