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**OFFICE OF THE CHIEF MEDICAL EXAMINER
BOARD OF MEDICOLEGAL INVESTIGATIONS**

**BOARD MEETING AGENDA
REGULAR MEETING**

Thursday, April 7, 2022, 2:00 P.M.

921 N.E. 23rd St., Oklahoma City, OK 73105, (405) 239-7141

Via Videoconference at 1115 W. 17th, Tulsa, OK 74107, 918-295-3400

Mr. Rick Adams, Mr. Robert Hoisington, Mr. Tyler Stiles, Mr. Keith Reed,
Dr. Michael Magguilli, and Dr. Eric Pfeifer will attend in Oklahoma City.
Dr. Doug Stewart, Dr. Robert Allen and Dr. Eric Harp will attend the meeting
in Tulsa via videoconference.

The Board may discuss, vote to approve, vote to disapprove, vote to table, or decide not to discuss any item on the agenda.

- I. Roll call
- II. Adoption of minutes from the March 3, 2022.
- III. Update from the Chief Medical Examiner
 - ◆ Overview of agency operations (financial snapshot – legislative update)
- IV. Update from Deputy Chief Medical Examiner
 - ◆ Tulsa office updates.
- V. New Business
- VI. Adjourn

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**BOARD OF MEDICOLEGAL INVESTIGATIONS
REGULAR MEETING**

Board Meeting Minutes from
Thursday March 3, 2022 at 2:00 p.m.
921 NE 23rd Street, Oklahoma City, OK 73105
and Via Videoconference

In conformity with the Oklahoma Open Meeting Act, advance notice of this meeting was transmitted to the Oklahoma Secretary of State on December 3, 2021 at 12:45 P.M. and public notice of this meeting, together with the agenda, was posted in prominent public view on the front door of the Office of the Chief Medical Examiner, 921 NE 23rd Street, Oklahoma City, .

Members present: Mr. Ricky Adams, Mr. Robert Hoisington, Mr. Tyler Stiles, Dr. Michael Magguilli and Dr. Eric Pfeifer.

Members present via videoconference: Dr. Robert Allen, Dr. Eric Harp, and Dr. Doug Stewart.

Members absent: Mr. Keith Reed

Others Present: Margie Weaver (OAG), Kari Learned (OCME), Lori Shively (OCME), Renee Steward (OCME), Michele Krizan (OCME).

Mr. Adams called the meeting to order at 2:00 p.m. Roll was called and a quorum was established.

Dr. Harp motioned to adopt the minutes from November 16, 2021, meeting with one change of the word annal to annual from page 3 paragraph 4. Dr. Allen seconded the motion. Roll was called and all were in favor.

● Update from the Chief Medical Examiner, Dr. Eric Pfeifer

~ Dr. Pfeifer advised the Board the caseload has increased approximately 25% over the last 2 years. Historically, the growth rate has been 11% per decade. Meaning the agency caseload has increased about 2 decades worth of growth in 2 years. This alone is the work of 4 additional physicians and additional investigators and chemists. Since COVID is subsiding, Dr. Pfeifer and Dr. Lanter will watch this until June/July and see if the trend reverses itself. If it does not, the agency will not be able to achieve the performance standards required by the Nation Association of Medical Examiners (NAME).

Financial snapshot –

The proposed Executive Budget Summary is less than flat. If this doesn't change, we will enter a situation where we will start to deplete our reserve account quickly. We cannot stay flat if we are going to open the new Tulsa practice and hire more staff.

Available cash is currently at \$10M. This allows us a little bit of a cushion.

Legislative update –

A couple of Bills were recently proposed or changed without notice to the agency. SB 1123 would permit funeral homes to transport decedents from a motor vehicle fatality without a scene investigation by the medical examiner investigator. The bill as written has a lot of holes that need to be addressed before it's discussed on the floor.

HB 4121 from Representative Frix allows county sheriffs to complete and sign medical certification if it isn't complete within 48 hours. Our agency and the State Health Department are very much in opposition to this bill.

SB 354 would eliminate issuing permits for out-of-state transport for Oklahoma counties that border other states. Dr. Pfeifer has not heard of any new activity on this bill this year and it appears to have died.

Case completion parameters –

Open autopsy cases greater than 90 days old currently total 489.

Fellowship program –

Both fellows were offered a staff position. The Oklahoma City fellow politely declined and accepted a position in Chicago. We will immediately begin to recruit to fill this vacancy.

Administration –

Renee Steward will be retiring at the end of March. She has saved the agency millions of dollars over the years. Lori Shively introduced Michele Krizan who will be filling the position Renee is vacating. We have appointed Garrett Rosser as an Administrative Officer in the Tulsa office to assist Michele. Renee is in the process of training both employees.

State climate survey – The survey shows very good engagement compared to years past. We saw a positive change in engagement, positive change in satisfaction and positive change in intent to continue employment within the agency.

Investigations –

Last time the scene response time was 1 hour and 24 minutes. We would like to see this closer to 1 hour or less. Until more investigators are in the field, this will not change.

Permit turnaround times have increased to 15 hours 56 minutes average per permit. The goal has always been 48 hours or less.

Toxicology –

We are in the process of purchasing 3 more instruments for a total of about \$750K. After these purchases are finalized, we will not purchase any new equipment until Dr. Pfeifer has a better idea of agency appropriations for next year.

Priority projects –

The Tulsa project appears to be on budget and on time. Photos of the new Tulsa practice were shown to the group.

Dr. Allen asked Dr. Pfeifer the source of the increase in the current case load. Dr. Pfeifer said more people appear to be dying and it seems to coincide with the COVID-19 pandemic. In addition to COVID deaths we are seeing an increase in motor vehicle accidents, overdoses and homicides. Mr. Adams added partner agencies are also seeing an increase in case load.

Mr. Adams asked Dr. Pfeifer if he'd had an opportunity to speak with any of the appropriation leaders about the agency's budget. Dr. Pfeifer said during the budget performance hearings it was made very clear the agency needs more staff and the appropriations needed to cover the increase in FTE. Additionally, during yesterday's discussion of HB 1123 with Senators George Burns, Frank Simpson and Becky Gooch, Dr. Pfeifer made it clear to solve the problem of the proposed bill is to allow the agency to hire 10 more investigators and 2 more doctors. The appropriations needed for these positions was also discussed.

No new business.

Mr. Hoisington motioned to adjourn the meeting. Mr. Stiles seconded the motion. Roll was called and were in favor. The meeting was adjourned at 2:22 pm.

OCME Report to the Board of Medicolegal Investigations, April, 2022

Eric Pfeifer, MD

Foreword

The following is a reporting format that includes key operational components of the practice and quality indicators important to the mission of the OMCE. This month a new element is introduced that addresses top concerns; see below. New information and data is colored in red. Previous material is colored green and black.

Top Concerns for OCME operation

The caseload trend seems to be decreasing; we will continue to watch carefully so that we may make accurate assessments of future need for staffs, etc.

The caseload for body examinations has increased approximately 25% in the last two years. We are watching this trend and hope it subsides by this summer. This increase will not be sustainable in the long run without adding appropriate numbers of staffs.

OCME operations will not be sustainable under the proposed budget in the Executive Budget Summary.

Physicians

Open autopsy cases >90 days (excluding anthropology, April 1, 2021): 369 (up from 354).

We are recruiting for an additional FTE forensic pathologist for OKC.

Open cases >90 days (excluding anthropology, Nov 1, 2021): 354 (up from 325).

We estimated we need 16 staff and 2 fellow physicians (18 total) to meet re-accreditation parameters. We have offered staff positions to this year's fellows. One has accepted to join the staff.

There has been a substantial increase in caseload (>20%) since the advent of the COVID-19 pandemic. This seems to be slowing down.

Fellowship in Forensic Pathology

Our OKC fellow has chosen to practice next year in Chicago. We are recruiting to fill the staff position we offered him.

Two new fellows join us in July 2022.

Our fellowship program has been granted continued ACGME (American Council of Graduate Medical Education) accreditation for two concurrent fellows. Two new fellows have joined us in July for their one year of subspecialty training in Forensic Pathology. Should they both remain as staff we will have 16 staff forensic pathologists. Fellowship applicants are continually being evaluated for admission to our training program.

Administration

Renee Steward has retired, and Michele Krizan has joined the staff in this position.

We have changed the admin structure slightly to create a financial officer position in Tulsa.



2021 State Climate
Survey Comparison

The 2021 State Climate Survey Comparison appears to be favorable.

Anthropology

We have identified a need for an incremental increase in the number of staff Forensic Anthropologists. In the budget workbook for the next fiscal year we are requesting an FTE increase of one anthropologist and salary adjustments for the anthropologist pay scale.

Autopsy Services

We will be requesting appropriations next fiscal year for an across-the-board salary adjustment for the pathology technicians.

Information Technology

We were offered by OMES to have an IT manager embedded with the OCME full time, and agreed it would be mission critical, given the IT-intense nature of our practice, to have such a person join us. This individual has been identified and embedded with us since July. The cost to OCME will be an additional (approximately) \$105,000 per year. We have enough funding to sponsor this person for at least two years, and will be requesting appropriations next fiscal year to sustain this position. We have already noticed a great positive change in the rapidity of IT issues and projects getting resolved. This person has been invaluable for the IT provisioning of the Tulsa building project.

Investigations

Scene response elapsed times (average, April 1): 1 hr., 26m.

Scene response elapsed times (average, February 2022): 1 hr., 24m.

We are continuing to use Geosafe on a trial basis in OKC and Tulsa to optimize distances between investigators and scenes. This system maps the nearest investigator with a scene. So far this appears to be going well, and hope to see a small improvement in scene response TAT.

We have recently been given permission to use My Health, which provides direct electronic access to electronic medical records across the state. The long-standing “bottleneck” for issuing permits has been waiting on medical records, and this should speed things up. This will cost the agency approximately \$25K per year for end-user licenses and we feel this is an appropriate investment in keeping our permit process as efficient as possible.

We will be requesting appropriations next fiscal year for an across-the-board salary adjustment for the investigators, as well as new equipment requests. The investigative leadership have presented us with a detailed report of market data and anticipated needs, and we will be discussing this in detail in the coming weeks as we prepare for the next budget cycle.

Permit turnaround times (average, March 2022): 15hr., 56 m.

Permit turnaround times (average, Oct 2021): 16hr., 13 m.

Toxicology

We have begun the purchase process for two new GC-MS instruments and one LC-MS.

The toxicology laboratory workload has been increasing every year for at least the last ten years, and they are on track to handle over 6,000 cases this year. They have continuously maintained national accreditation by the ABFT (American Board of Forensic Toxicology). The toxicology laboratory were inspected this year for the conventional accreditation by the American Board of Forensic Toxicology, and this will be the last year this accreditation track is available; afterward, the lab will need to secure and maintain ISO accreditation, and this means a substantial increase in complexity and workload required for this certification. This is one of the reasons we have requested an FTE increase of one additional Forensic Toxicologist.

We have signed a statement of work to have a LIMS (Laboratory Information Management System) installed, costing us approximately \$358,000. This has been a five-year process and the selected system will be compatible with most of our analytical apparatus, and also offers advanced data mining capability.

We will be requesting appropriations next fiscal year for an across-the-board salary adjustment for the toxicologists and forensic chemists, as well as new equipment requests. The toxicology leadership have presented us with a detailed report of market data and anticipated needs, and we will be discussing this in detail in the coming weeks as we prepare for the next budget cycle.

Legislative Issues

SB1123 (transport of bodies without permission of ME): ?

HB3469 (parents handling deceased children): ?

HB4121 (sheriffs certifying deaths): Apparently dead

SB 354 (no permits for out-of-state transport from counties neighboring other states): Apparently dead.

Priority Projects

1. Re-accreditation by the National Association of Medical Examiners; anticipated by 2023.
2. Completion of the Tulsa practice site building: this is anticipated by July 2022.
3. Completion of death certificates in non-jurisdictional cases: we are organizing a meeting with the health department, medical licensure board, and the Oklahoma Medical Association to discuss possible solutions for this issue.
4. Credit card payments option for permits.

Financial

The Tulsa project appears to be on budget and on time.

One of the greatest unknowns in anticipated future capital expenditure(s) has been provisioning the new Tulsa practice site with IT equipment and services, including cabling, cable drops, switches, a new fiber optic line from the State, etc. These appear to be coming into greater focus and it seems there will be an outlay needed of between \$300K-\$400K, which is within the amount we anticipated from the beginning of the project.

See "Financial Snapshot" to be presented at Board meeting as part of a Powerpoint presentation item.

COVID-19

No new developments affecting OCME.

We have been monitoring closely the recent local, national, and international developments in the trends of COVID-19 (especially the Delta variant strain). The number of cases presenting to the office seem to be decreasing. We have had one confirmed COVID-19 illness (mild and self-limited) among our staff in the last few months.

END