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

**BOARD MEETING AGENDA
REGULAR MEETING**

Thursday, August 3, 2023, 2:00 PM.
921 N.E. 23rd Street, Oklahoma City, OK 73105 and
Via videoconference at 1627 Southwest Blvd., Tulsa OK 73117

Dr. Michael Magguilli, Ms. Angela Marsee, Mr. Tyler Stiles,
Ms. Andrea Fielding, (designee for Ms. Aungela Spurlock),
Mr. Keith Reed, and Dr. Eric Pfeifer will attend in Oklahoma City.
Dr. Doug Stewart, Dr. Jason Beaman 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 May 18, 2023.
- III. Update from the Chief Medical Examiner
 - ◆ Presentation of OCME operations, agency update.
- IV. Update from Deputy Chief Medical Examiner
 - ◆ Tulsa office updates.
- V. New Business
- VI. Adjourn

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

**BOARD OF MEDICOLEGAL INVESTIGATIONS
SPECIAL MEETING**

Board Meeting Minutes from
Thursday May 18, 2023, at 2:00 p.m.
1627 Southwest Blvd., Tulsa, OK 74117

In conformity with the Oklahoma Open Meeting Act, advance notice of this meeting was transmitted to the Oklahoma Secretary of State on May 9, 2023, at 3:31 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, OK and 1627 Southwest Blvd., Tulsa, OK 74117.

Members present: Dr. Eric Harp, Dr. Jason Beaman, Mr. Keith Reed, Mr. Tyler Stiles, Ms. Aungela Spurlock, Dr. Michael Magguilli, and Dr. Eric Pfeifer.

Members absent: Ms. Angela Marsee, Dr. Doug Stewart

Others Present: Dr. Josh Lanter (OCME), Arden Nerius (OAG), Brad Green (OSBI), Kari Learned (OCME), Samantha Richardson (OCME), Jodi Dillon (OCME), Michele Krizan (OCME), Lori Shively (OCME), Curtis Woody (FOX23), and John Asebes (FOX23).

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

Mr. Stiles motioned to adopt the minutes as written from February 2, 2023, meeting. Ms. Spurlock seconded the motion. Roll was called, Dr. Beaman abstained, all others were in favor.

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

~ Dr. Pfeifer presented the agency update to the Board.

Although the COVID pandemic is waning, the agency caseload is remains elevated. Dr. Pfeifer announced this is an area of top concern for the agency. All manners of death are on the rise, we are specifically seeing an increase in overdose deaths. Fentanyl deaths have increased 1000% over previous years. The 2022 data is on track to exceed 600 Fentanyl related deaths. The addition of these deaths and the continued increase from the COVID era leaves us short on manpower to work these cases.

Dr. Pfeifer is optimistic the agency will receive the \$1.3M increase in funding that was requested. This will allow for the addition of 4 investigators and a couple other positions. We have been approved for a new case management system (CMS). The one currently being used is 23 years old. It is an antiquated

system that doesn't integrate with other applications. The new CMS is estimated to cost \$1.5M, if not more.

The Oklahoma City office is already bursting at the seams and have outgrown the current space. The 3rd floor of the Oklahoma City building is currently an empty shell and is available for expansion. The grant proposal to expand was not approved. However, the agency may have money to complete a buildout.

In the past, it was the agency's opinion was that it was more efficient and cost effective to employ fulltime physicians. However, the agency has changed its view on contract and locum work. We are working to identify candidates who are willing to work with us on a contract basis. They would assist with overdose and apparent natural deaths. They would not be assigned homicide or pediatric cases. The funding for this work is currently within the budgetary means for the agency.

Case turn-around time –

Open autopsy cases over 90 days old have slightly increased from 369 to 438. Until additional physicians are hired, we will continue to see a higher level of open cases. We are actively recruiting for 4 more physicians and are opening the practice to contract and locum work.

Fellowship –

The fellowship program is very strong. One new fellow will start the beginning of July. She is currently a University of Oklahoma pathology resident. Two positions for the following academic year (2024-2025) have already been filled. The program received official notification of continued accreditation status by the Accreditation Council for Graduate Medical Education (ACGME).

The first national match day for forensic pathology was May 3rd. Through the match, the agency interviews interested candidates; the candidate ranks the program, and the program ranks the candidate. The match uses a computerized algorithm to place candidates into the most preferred fellowship program. In the past this was accomplished through interviews and deciding internally which candidate was the best choice, then offer them the fellowship position. The match will be a more efficient way of selecting fellows in the future.

The agency applied for a fellowship grant to expand the program. We would like to make our program supra competitive by assisting the fellowship candidates with recruitment and interview expenses, fellowship salary enhancement and compensation, including loan repayment assistance, professional membership fees, conference travel costs, and away rotations for specialty training. The funding would also be used to develop an external outreach program encouraging students to pursue FP and medicolegal careers.

Unfortunately, one of the fellows in the program this year will not be graduating. They encountered several interruptions in the practice year of the fellowship which have interfered with this person's ability to finish the program. We petitioned the ACGME for additional time to train this person to make up for the time they lost, however, we were denied.

Administration –

A lot of time has been focused on the procurement of the new CMS.

Anthropology –

The agency now has 3 full time anthropologists and are in need of a fourth. This will be a consideration for the budget request next fiscal year. Dr. Sara Getz was just named to the Board of Directors for the American Board of Forensic Anthropology.

Autopsy services –

Recently we were honored to have Irina Flige, Nobel Prize winning Russian activist and recipient of the Clyde Snow Social Justice Award tour our Oklahoma City practice. She speaks out on human rights and mistreatment of the Russian people. She was very interested in our anthropology lab and spent a long time asking questions.

The German government also visited the agency. If tissues transplanted in German citizens are derived from the United States, they are required to make site visits to look at the facilities where decedents are stored. Specifically, they are looking at how well the refrigeration is maintained, chain of custody, cleanliness, etc.

Information technology (IT) –

We are in the procurement phase of the new CMS.

We continue working toward the toxicology laboratory LIMS (Laboratory Information Management System) and hope to have it completed in the near future.

Investigations –

Both investigative supervisors, Jodi and Sami have worked to reduce the scene response times. Covering 70K square miles of the state, the current average scene response time is 1 hour 25 minutes.

This fiscal year we were given appropriations to hire 4 additional investigators to cover the high-volume areas.

New vehicles have been added to our fleet. They are more comfortable and efficient for the investigators.

Permit turnaround time –

Permit turnaround time has decreased slightly to 11 hours 59 minutes. The goal is to have permits issued in 48 hours (2 business days) or less.

Toxicology lab –

The toxicology lab is one of the top five busiest toxicology laboratories in the country in terms of caseload. Dr. Phil Kemp has come back to the agency on a contract basis to perform analytical work on less complex cases. This helps relieve some of the workload from the other toxicologist who are working on ISO accreditation.

Deputy Chief Toxicologist, Dr. Kacey Cliburn is the new president elect of the Southwestern Association of Toxicologists (SAT).

Part of the renovation plan also includes remodeling part of the toxicology laboratory. This will allow for the addition of personnel along with wet and dry workspace.

Legislation –

Senate Bill 707 has become multifaceted. Initially the bill started with how the Medical Examiner's office notifies families of the type of examination or procedure performed on their loved one. It now includes eliminating liability for physicians who might be hesitant to sign death certificates, imposing a timeline for conclusion of investigations by the Medical Examiner's Office (with some exceptions), along with a few other items. It is Dr. Pfeifer's understanding that this bill is now dormant, however, it is still a topic of conversation. Commissioner Reed with the Oklahoma State Department of Health organized a multi-disciplinary group to address the death certificate process in the State of Oklahoma.

Priority project –

The priority project for the agency has been and will continue to be National Association of Medical Examiners (NAME) reaccreditation. We are approximately 5 forensic pathologists short of what would be required to achieve accreditation.

Mr. Reed asked about the availability of contract or part time forensic pathologists. Dr. Pfeifer informed the Board that 2 individuals have approached him for this reason. One is a previous OCME employee who agreed to perform contract work. She will not be taking pediatric or homicide cases.

Financial update –

The complete picture of the financial reports shows the available cash continues to grow. As of March 31st, we are at \$9.7M. The agency is currently spending less than we're bringing in. The big expenditures are starting to slow down.

Dr. Pfeifer thinks the agency is at the point where some of this carryover could be used to fund the expansion of the 3rd floor. We are in the beginning phases of discussions with the building owner, Wiggins Properties. We will work with them to determine what this will add to the monthly rental payment. Most of the expense will come with the buildout, and furniture, fixtures and equipment. We don't anticipate the monthly utilities to increase much.

● Update from the Deputy Chief Medical Examiner, Dr. Josh Lanter

Dr. Lanter advised the workload has put stresses on the office. Tulsa currently has 2 openings for FPs. They have seen little interest for these positions; however, they anticipate an increase by the end of the current academic year.

The current fellow will join the practice in July, giving them 6 full-time staff. This is a first for the Tulsa office.

The Tulsa practice has been in their new facility almost a year and are already short of office space for staff. Oklahoma State University (OSU) has been approached about expanding. They are unable to accommodate the request at this time because they have other projects. Dr. Lanter is hopeful the current space will be sufficient for the next 2-3 years and added they will revisit this with OSU in 6 months.

Tulsa County District Attorney, Steve Kunzweiler invited representatives from OCME to speak at the committee for the Tulsa County opioid settlement. The committee oversee the appropriations from the lawsuit settlement. Since the OCME was affected by the increase in opiate deaths, he asked them to outline their experiences and stresses. A PowerPoint presentation was put together by investigative supervisor, Sami Richardson and toxicologists Dr. Jesse Kemp, and Dr. Kacey Cliburn for the meeting. The agency could potentially receive an allocation from this settlement.

Ms. Spurlock motioned to adjourn the meeting. Dr. Magguilli seconded the motion. Roll was called and were in favor. The meeting was adjourned at 2:29 pm.

DRAFT

OCME Report to the Board of Medicolegal Investigations, August 2023

Eric Pfeifer, MD

Foreword

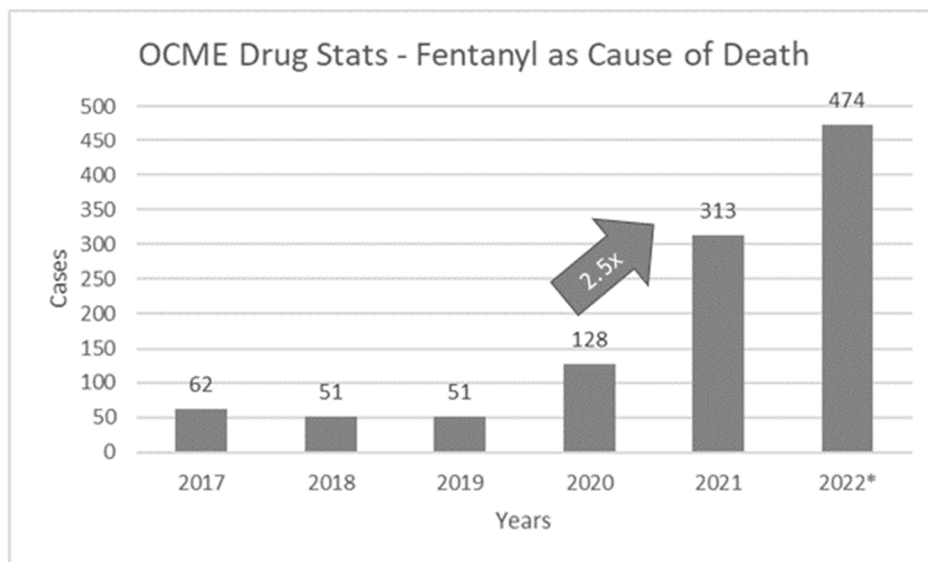
The following is a reporting format that includes key operational components of the practice and quality indicators important to the mission of the OMCE. New information and data is bolded. Previous relevant material is colored in light gray.

Top Concerns for OCME operation

1. Hiring and retaining forensic pathologists, and support staffs.
2. Working with Department of Health to make the death certificate process more efficient.
3. Toxicology Lab achieving ISO accreditation (inspection this month).
4. Strategic planning for FY25 (+ 1 FTE Forensic Anthropologist, +1 FTE forensic pathologist).
5. Expansion of OKC office and toxicology space.
6. Finding vehicles for the new investigator positions.

The caseload does not appear to be waning after all. We are on track do examine about 8,500 patients this year. Deaths due to Fentanyl are skyrocketing. This is slowing us down in terms of case completion and certification of death certificates.

Fentanyl in Oklahoma



*283 cases still open

Physicians

1. Open autopsy cases >90 days (excluding anthropology), August 2023: 368
Open autopsy cases >90 days (excluding anthropology), May 2, 2023: 438.
2. Dr. Doane has joined the Tulsa practice as a staff physician.
3. We are recruiting for FTE pathologists for OKC (2), and Tulsa (2).
4. We are opening the practice to contract/locums work. This is hopefully temporary.
5. Dr. Niblo has joined us under locums to assist with the caseload.
6. It became apparent during attendance at the New England Seminar in Forensic Sciences last week, that many ME offices in New England are struggling with resources and the approach to the workload is cutting corners from NAME guidelines.

Fellowship in Forensic Pathology

1. Dr. Eleanor Abreo (OKC) joined us in July 2023 for a year of forensic pathology training.
2. The OCME filled both fellowship slots for FY25. Several esteemed programs in the US did not match, surprisingly.
3. We have applied for a grant to augment our fellowship program, including expanded compensation. We should know something by this September.

We have invested in increased advertising and visibility of our program, through presence at national conferences and in social media.

Administration

1. We are in the bidding procurement phase of a new CMS.
2. We have hired Haley Hoogendoorn as an Administrative Assistant to help with Family Assistance and Records, etc.
3. We are seeking a project manager for the CMS and NAME record keeping (including quality assurance), and a person to oversee projects such as building maintenance and Fleet, for both practices.

Anthropology

1. We now have three full time forensic anthropologists on staff and have identified a justifiable need for a fourth; next year's budget request will include additional funding for that FTE.

Dr. Getz had been appointed to the Board of Directors of the American Board of Forensic Anthropology.

Autopsy Services

1. A professional floor company is being sought to clean and repair the OKC floors and provide routine floor cleaning and maintenance.
2. We have engaged in a prospective study to assess the use of CT with bedside tox screening.
3. All bodies in OKC are automatically receiving a Lodox and CT scan. This has eliminated bottlenecks.

We had a visit and OKC autopsy lab tour by Irina Flige of "Memorial."

We had an OKC site visit by the German government department for organ and tissue donation.

Information Technology

1. We are in the bidding-procurement phase for a new CMS.
2. Installment of LIMS and quality control software is ongoing.
3. Franklin has started process of estimating IT provisioning for the OKC expansion.

Investigations

1. **Scene response elapsed times (average, July 2023): 1 hr, 13 min.**
Scene response elapsed times (average, April 1): 1 hr., 25m.

Scene response elapsed times (average, April 1): 1 hr., 29m.

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

2. **Permit turnaround times (average, April 2023): 11hr., 12 m.**
Permit turnaround times (average, April 2023): 11hr., 59 m.

Permit turnaround times (average, May 2022): 12hr., 21 m.

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

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

Toxicology

1. The inspection for ISO accreditation is this month.

2. We now have four forensic toxicologists working to address the workload, and for preparation to meet accreditation standards.
3. Upon successful ISO certification, the efforts will focus primarily on case completion.
4. The tox lab desperately needs more space for personnel and instrumentation.

Dr Cliburn is the new President-elect of the Southwestern Association of Toxicologists (SAT).

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.

Legislative Issues

1. Strategic planning for FY25
2. Multi-disciplinary group to address DC process in Oklahoma

Priority Projects

1. Re-accreditation by the National Association of Medical Examiners; anticipated by 2025. ???
2. Sensible use of carryover funds for capital projects, etc.
3. Physician, anthropology and toxicology recruitment.

Financial

FY23	APPROPRIATIONS	MONTHLY DEPOSITS	TOTAL	TOTAL EXPENDITURES	Carry-Over Adjustments	Profit/Loss
July	\$1,267,179.00	\$426,426.00	\$1,693,605.00	\$1,845,618.04		(\$152,013.04)
August	\$1,267,179.00	\$458,158.00	\$1,725,337.00	\$2,725,743.45		(\$1,000,406.45)
September	\$1,267,179.00	\$447,406.03	\$1,714,585.03	\$1,885,128.13		(\$170,543.10)
October	\$1,267,179.00	\$385,411.00	\$1,652,590.00	\$1,554,879.42		\$97,710.58
November	\$1,267,179.00	\$781,066.65	\$2,048,245.65	\$1,971,467.51		\$76,778.14
December	\$1,267,179.00	\$494,488.73	\$1,761,667.73	\$1,698,097.36		\$63,570.37
January	\$1,267,179.00	\$419,731.00	\$1,686,910.00	\$1,689,610.61		(\$2,700.61)
February	\$1,267,179.00	\$445,577.00	\$1,712,756.00	\$1,706,454.77		\$6,301.23
March	\$1,267,179.00	\$458,104.00	\$1,725,283.00	\$1,899,913.82		(\$174,630.82)
April	\$1,267,179.00	\$341,162.53	\$1,608,341.53	\$1,608,528.99		(\$187.46)
May	\$1,267,179.00	\$360,835.00	\$1,628,014.00	\$1,709,460.47		(\$81,446.47)
June	\$1,267,179.00	\$414,575.16	\$1,681,754.16	\$1,926,704.05	\$2,300,000.00	\$2,055,050.11

We have approximately \$7M in unencumbered cash. Proposed plan:

Retain two months payroll (\$3M).

Retain \$1M for emergency equipment needs.

Allocate \$2M for OKC office/tox expansion.

Retain \$1M for CMS in case of grant failure.

END

DWEST01

From Agency: 34200 To Agency: 34200

Allotment Budget and Available Cash

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State of Oklahoma
 Allotment Budget and Available Cash
 As Of July 31,2023

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<u>Business Unit</u>	<u>Class</u>	<u>Dept</u>	<u>Bud Ref</u>	<u>Allocations</u>	<u>Pre Encumbered</u>	<u>Encumbered</u>	<u>Current Yr Exp</u>	<u>Prior Yr Exp</u>	<u>Allotment Budget</u>	<u>Available Cash</u>
34200										67,613.50
	192									
	19201	01	22	1,219,848.00	.00	.00	.00	1,219,848.00	.00	
	19201	10	22	9,558,173.11	.00	.00	.00	9,490,559.61	67,613.50	
	19201	90	22	6,000,000.00	.00	.00	.00	6,000,000.00	.00	
	19211	10	23	2,384,035.89	.00	.00	.00	2,384,035.89	.00	
				<u>19,162,057.00</u>				<u>19,094,443.50</u>	<u>67,613.50</u>	
	193									2,473,250.28
	19301	01	23	1,325,650.00	.00	.00	.00	1,291,634.14	34,015.86	
	19301	10	23	13,880,494.00	.00	.00	13,388.77	11,427,870.81	2,439,234.42	
				<u>15,206,144.00</u>			<u>13,388.77</u>	<u>12,719,504.95</u>	<u>2,473,250.28</u>	
	194									168,067.15
	19401	01	24	1,496,292.00	.00	.00	85,005.69	.00	1,411,286.31	
	19401	10	24	14,522,852.00	.00	.00	1,081,856.16	.00	13,440,995.84	
				<u>16,019,144.00</u>			<u>1,166,861.85</u>		<u>14,852,282.15</u>	
	200									7,451,605.87
	20000	01	22	33,450.00	.00	.00	.00	674.78	32,775.22	
	20000	01	23	33,449.00	.00	.00	.00	3,948.66	29,500.34	
	20000	01	24	33,450.00	.00	.00	.00	.00	33,450.00	
	20000	10	22	4,375,745.78	45.01	464,301.96	45.00	2,927,210.04	984,143.77	
	20000	10	23	4,152,447.00	193,522.43	721,087.19	116,065.02	2,937,896.74	183,875.62	
	20000	10	24	4,495,027.00	347,521.08	.00	.00	.00	4,147,505.92	
	20000	88	22	2,681,609.90	249,914.98	70,139.11	81.83	1,694,095.55	667,378.43	
	20000	88	23	1,859,908.00	31,491.37	169,521.00	23,119.90	1,552,242.02	83,533.71	



State of Oklahoma
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<u>Business Unit</u>	<u>Class</u>	<u>Dept</u>	<u>Bud Ref</u>	<u>Allocations</u>	<u>Pre Encumbered</u>	<u>Encumbered</u>	<u>Current Yr Exp</u>	<u>Prior Yr Exp</u>	<u>Allotment Budget</u>	<u>Available Cash</u>
34200										
	200									7,451,605.87
	20000	88	24	3,849,018.00	397,305.15	.00	.00	.00	3,451,712.85	
				<u>21,514,104.68</u>	<u>1,219,800.02</u>	<u>1,425,049.26</u>	<u>139,311.75</u>	<u>9,116,067.79</u>	<u>9,613,875.86</u>	
	400									74,303.22
	40000	01	22	23,382.00	.00	.00	.00	13,963.19	9,418.81	
	40000	01	23	24,220.00	.00	.00	.00	.00	24,220.00	
	40000	01	24	20,835.00	.00	.00	.00	.00	20,835.00	
	40000	10	22	114,261.50	.00	.00	.00	114,240.43	21.07	
	40000	10	23	142,161.00	.00	.31	37.30	78,402.85	63,720.54	
	40000	10	24	110,005.00	.00	.00	11,111.92	.00	98,893.08	
	40000	88	22	500,000.00	.00	.00	.00	454,114.82	45,885.18	
	40000	88	23	500,000.00	.00	.00	.00	63,154.74	436,845.26	
				<u>1,434,864.50</u>		<u>.31</u>	<u>11,149.22</u>	<u>723,876.03</u>	<u>699,838.94</u>	
Business Unit Totals				73,336,314.18	1,219,800.02	1,425,049.57	1,330,711.59	41,653,892.27	27,706,860.73	10,234,840.02



State of Oklahoma
 Allotment Budget and Available Cash
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<u>Business Unit</u>	<u>Class</u>	<u>Dept</u>	<u>Bud Ref</u>	<u>Allocations</u>	<u>Pre Encumbered</u>	<u>Encumbered</u>	<u>Current Yr Exp</u>	<u>Prior Yr Exp</u>	<u>Allotment Budget</u>	<u>Available Cash</u>
Grand Totals				73,336,314.18	1,219,800.02	1,425,049.57	1,330,711.59	41,653,892.27	27,706,860.73	10,234,840.02