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

**BOARD MEETING AGENDA
SPECIAL MEETING**

Thursday, December 5, 2024, 2:00 PM.
921 N.E. 23rd St., Oklahoma City, OK, 73105
and via video conference at
1627 Southwest Blvd., Tulsa OK 73117

Dr. Michael Magguilli, Ms. Angela Marsee, Mr. Tyler Stiles,
Mr. Roger McIver, and Mr. Keith Reed, will attend in Oklahoma City.
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 August 8, 2024.
- III. Nomination, discussion, and possible election of Board Chairman.
- IV. Nomination, discussion, and possible election of Board Vice Chairman.
- V. Update from the Chief Medical Examiner
 - Agency update.
- VI. Update from Deputy Chief Medical Examiner
 - Tulsa office updates.
- VII. Discussion and possible action regarding 2025 meeting dates for the Board of Medicolegal Investigations, Office of the Chief Medical Examiner.
- VIII. Discussion and possible action to adopt the permanent rule changes to OAC 445:10-1-11 Fees for Forensic Science and Laboratory Services [AMENDED].
 - Notice of Rulemaking Intent for the proposed rules change was published in Volume 42, Number 1 of the *Oklahoma Register* on September 16, 2024. A public hearing was held on October 22, 2024, and all proposed rule changes were subject to a public comment period, in accordance with the Oklahoma Administrative Procedures Act.
- IX. Adjourn

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BOARD OF MEDICOLEGAL INVESTIGATIONS**

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BOARD OF MEDICOLEGAL INVESTIGATIONS**

**BOARD OF MEDICOLEGAL INVESTIGATIONS
REGULAR MEETING**

Board Meeting Minutes from
Thursday, August 8, 2024, 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 04, 2023, at 2:54 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. Harp, Dr. Magguilli, Ms. Marsee, Mr. Stiles, Dr. Beaman, Ms. Spurlock, Mr. Reed, and Dr. Pfeifer.

Members absent: Representative of the Oklahoma State Medical Association (OSMA).

Others Present: Dr. Josh Lanter (OCME), Madalynn Martin (OAG), Kari Learned (OCME), Jodi Dillion (OCME), Michele Krizan (OCME), Dr. Marc Harrison (OCME), and Elysa Imhoff (OCME).

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 the February 1, 2024, meeting. Ms. Marsee seconded the motion. Roll was called, Dr. Beaman and Mr. Reed abstained, and all others were in favor.

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

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

Dr. Pfeifer announced that the overarching priority has been and continues to be the National Association of Medical Examiners (NAME) reaccreditation. Both Dr. Pfeifer and Dr. Lanter would like to invite the NAME inspection team to visit OCME in January 2025. They are confident that the obstacles previously preventing reaccreditation have now been addressed. As

of August 1st, OCME is fully staffed for the first time in 14 years. OCME remains one of the busiest practices in the United States, handling over 8,000 cases annually.

Physicians-

Since our last board meeting, both the Oklahoma City and Tulsa offices are now fully staffed with a total of 18 physicians and 2 fellows. The OCME now has a full complement of specialists, including two neuropathologists, a hematopathologist, and a pediatric pathologist.

Fellowship-

In July, two new fellows began their training, one at each office. Both fellowship positions for the 2025-2026 academic year have already been filled, and interviews for the 2026-2027 Match are currently underway. Our fellowship training program is accredited by the Accreditation Council for Graduate Medical Education (ACGME) and the program offers formal training in postmortem radiography and CT to all fellows—a distinction held by only four other programs in the country. Additionally, our presence on Facebook and Instagram has been highly effective in recruiting both fellows and staff.

Administration-

The agency has been actively engaged with budget management, the procurement of a new case management system (CMS), Workday implementation, as well as facilities and equipment maintenance. Strategic budget planning for the 2025-2026 fiscal year will begin soon. Additionally, our Finance Director, Michele Krizan, recently completed a five-year retrospective operational audit, which our agency successfully passed.

Anthropology-

As mentioned in our last meeting, we successfully hired an additional forensic anthropologist for the Tulsa office, who will start in December 2024. With its expansion, our anthropology team now has two dedicated vehicles, one assigned to each office, to facilitate scene investigations and the transportation of field equipment.

Autopsy Services

After occupying the Oklahoma City office for seven years, the autopsy floors have been refurbished. The Oklahoma City practice spans 19,000 square feet, and the maintenance of the floors costs approximately \$2.45 per square foot.

Additionally, Robert Sawyers has been promoted to the new Autopsy Services Supervisor for the Oklahoma City office, and he is doing an incredible job.

Information technology-

OCME is highly dependent on technology and having Franklin as our embedded Office of Management and Enterprise Services (OMES) IT representative continues to be incredibly valuable to us.

The agency is also working on acquiring a new case management system (CMS). While this is expected to be a multi-year project, we are nearing the completion of the bidding and evaluation process to finalize the selection of a vendor.

Investigations-

We are considering applying for a grant to acquire new two-way radios to enhance our emergency communication capabilities.

The average scene response time for July was 1 hour and 15 minutes, which is an average across all 77 counties.

Permit turnaround time has been reduced from 11 hours and 20 minutes, as reported at the last meeting, to 10 hours and 26 minutes. This is well within our goal of a 2-business-day turnaround.

Toxicology-

The current average turnaround time for toxicology results is under 90 days. However, our goal is to reduce the turnaround time further, aiming to complete 90% of cases within 60 days.

The OCME toxicology lab maintains dual accreditation with the International Organization for Standardization (ISO) and the American Board of Forensic Toxicology (ABFT). In terms of caseload, we rank among the top ten busiest forensic toxicology labs in the nation. Our toxicologists and chemists conduct significantly more testing than the national average.

Dr. Cliburn recently delivered a compelling speech to the Attorney General's Council, highlighting a staggering 1000% increase in fentanyl-related deaths in Oklahoma over the past five years. The workload for our forensic chemists and toxicologists far surpasses national levels. In light of this, we plan to request funding from the legislature next year to add a fourth toxicologist to our team.

Legislation-

We received a \$300K increase in appropriations for the 2024-2025 fiscal year. Unfortunately, this amount does not even cover the salary and benefits for a single forensic pathologist. As we have communicated to the Board and the Legislature, this shortfall has required us to dip into our cash reserves. Looking ahead, we plan to request an additional \$2.5 million for the 2025-2026 fiscal year.

Priority projects-

The agency's priority project remains unchanged and will continue to be achieving NAME reaccreditation by early 2025.

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

Since our last meeting, three pathologists, including our current fellow, joined the Tulsa office. With these additions, morale has significantly improved. Sixteen years ago, when Dr. Lanter first started at OCME in Tulsa, there were only 2 doctors and 1 pathology technician. Today, the Tulsa office has 8 doctors and 6 pathology technicians. With these additions, both the Oklahoma City and Tulsa offices are now fully staffed.

NAME accreditation remains our top priority, and everyone is doing their part to help us earn back this accreditation.

Fee change for forensic science and laboratory services-

The agency has been reviewing our fee schedule and believes it's time for an update. Many of the fees related to toxicology and certain drug tests requested externally have significantly increased in cost.

We also believe it's necessary to raise our cremation and out-of-state transport permit fees. The proposed increase is \$35.00 per permit, which is still less than the compounded inflation since we last adjusted these fees in 2016. Implementing this increase would generate much-needed revenue for our agency. We process approximately 24,000 permits annually. Our turnaround time, which used to be 5 or 6 days, now averages approximately 10 hours. Achieving this faster turnaround has required significant resource investment, and the proposed fee adjustment will help us maintain these critical service levels.

Kari Learned mentioned that during the most recent legislative session, Senate Bill 1516 was passed to allow for an increase to the permit fees. The Governor signed the bill on May 2nd. The packet provided to the board members included a copy of Title 445:10-1-11, which addresses fees for forensic science and laboratory services as outlined in Title 63 O.S., Section 948.1, along with the proposed changes. Madalynn Martin also stated that if anyone has questions about the rule-making process, she is available to answer them.

Dr. Beaman motioned to authorize the agency to begin the 2025 permanent rule-making process to amend the fees as presented. Dr. Magguilli seconded the motion. Roll was called and all were in favor.

New business-
No new business.

Dr. Beaman motioned to adjourn the meeting. Ms. Marsee seconded the motion. Roll was called and all were in favor. The meeting was adjourned at 2:27 pm.

OCME Report to the Board of Medicolegal Investigations, Dec. 2024

Top Priorities and Concerns for OCME Operation

NAME RE-ACCREDITATION

We anticipate inspection by NAME for re-accreditation in the first quarter of 2025. An outside accreditation consultant has been retained, and he has gone through the NAME checklist and has identified gaps we need to address. Most of these gaps involve updating policies and procedures, and we are already close to satisfying all requirements for accreditation. The major hurdle has been adequate staffing, particularly forensic pathologists to attain a caseload ratio of less than 250 autopsy equivalents per physician per year. This does not take into account the other responsibilities of OCME physicians, including certifying permits and teaching. **As of August 1 this year we are now adequately staffed, having added 6 additional pathologists.** It has taken 14 years to assemble the 18 forensic pathologists and 2 fellow team that now exists. There has already been a measurable effect on turnaround times, which continue to decrease as we accede to national standards.

OCME Agency Departments

PHYSICIANS

- Our case turnaround time performance is good (see attached graph below). We are presently finalizing 91% of cases in 90 days or less, and this meets the minimum national benchmark. The goal is to finalize greater than 90% in 60 days .
- The Oklahoma OCME is one of the busiest practices in the United States, with yearly examinations exceeding 8,000 per year.

FELLOWSHIP IN FORENSIC PATHOLOGY

- There are two fellows this year, and two in the pipeline for next year.
- There have been two interviews completed, and four more interviews scheduled for the 2026-2027 academic year. The quality of the candidates is excellent.
- The training program is ACGME accredited and now has formal training in postmortem radiography including postmortem CT.

- Our social media accounts (Instagram, Facebook, Threads) have been successful in fellow/staff recruitment to advertise our fellowship program (okfpfellowship).
- We participate the national residency/fellowship match program.

ADMINISTRATION

- Administration has been very busy with budget, procurement of a new CMS, WorkDay, facilities and equipment maintenance, and strategic projects.
- Budget request hearings are on the horizon, no dates have been issued yet.

ANTHROPOLOGY

- Forensic anthropologist Tim Gocha, PhD. starts on the second week of January, 2026.
- Two forensic anthropologists in each office.
- Background - Associate Director, Forensic Anthropology Center, Dept of Anth, Texas State University with 7 years experience.

AUTOPSY SERVICES

- Near end of life for Lodox (10 year life span). Decisions to buy new equipment, refurbish existing equipment, or utilize CT scanners exclusively.

INFORMATION TECHNOLOGY

- We are presently conducting a search for a new, commercial case management system to replace the Access-based database system. CMS selection should be finalized this month or early next month and handed over to OMES.

INVESTIGATIONS

- Should hear back this month if the ARPA SLFRG grant was approved for new two-way radios to enhance emergency communication capabilities.
- Scene response elapsed times: 1 hr., 23m. over 77 counties.
- Permit turnaround times: 9hr., 45m. (minimal acceptable time of 2 business days).

TOXICOLOGY

- The OCME turnaround time for toxicology cases exceeds minimum national benchmarks
- The OCME tox lab maintains its dual accreditation (ISO, ABFT) and is, by caseload, among the top ten busiest forensic tox labs in the entire country. Our toxicologists and chemists perform far more testing than the national average.
- The toxicologists have asked about adding a fourth forensic toxicologist, which will require additional space/expansion.
- The incidence of Fentanyl related deaths has increased well over 1000% in five years.

LEGISLATION

- We received \$300K in supplemental appropriations for FY25. This does not even cover the cost of salary and benefits for a single forensic pathologist. As addressed to the Board and to the Legislature, this has necessitated digging into our cash reserves.
- We plan on asking for at least \$2.5 MM for FY26, in addition to increasing our cremation and out-of-state transport fees by \$35 each, bringing in another \$1MM per year approximately (Total \$3.5MM). This fee increase is far lower than aggregated total inflation since their last increase.

PRIORITY PROJECTS

- Re-accreditation by the National Association of Medical Examiners; anticipated by early 2025.

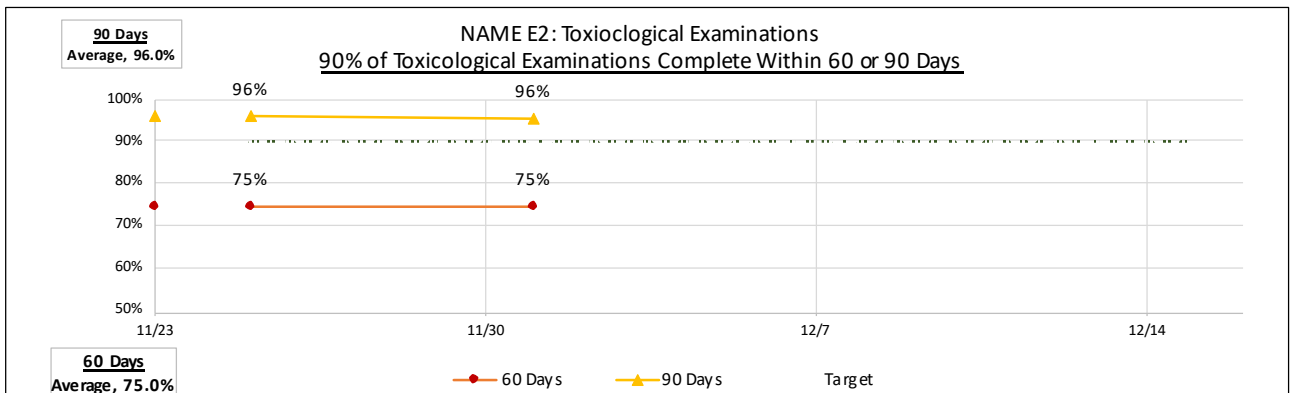
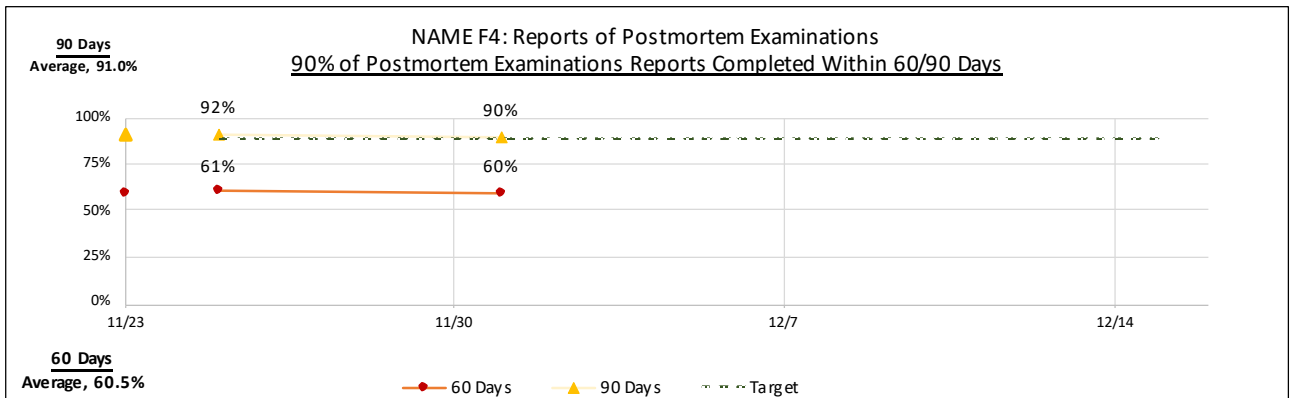
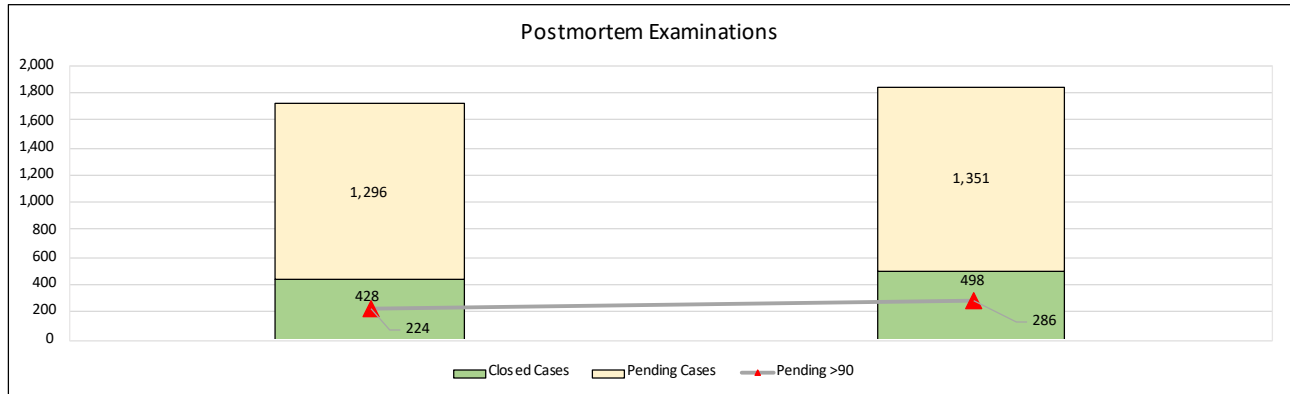
FINANCIAL

- *See attached "Financial Snapshot".*

Data since 8/1/2024

12/2/2024

	Cases Complete >60 days	Percent Complete within 60 days	Cases Complete >90 days	Percent Complete within 90 days
Cases Received	1,849			
Closed Cases	498	60.0%	50	90.0%
Pending Cases	1,351			
Pending Cases >90 days	286			
TOXICOLOGY				
Tox Cases Received	1,726			
Closed Tox Cases	780	75.0%	35	95.5%
Pending Tox Cases	946			
Pending Tox Cases >90 days	121			



FY25	APPROPRIATIONS	MONTHLY DEPOSITS	TOTAL DEPOSITS	TOTAL EXPENDITURES	Profit/Loss
July	\$1,359,928.00	\$395,477.75	\$1,755,405.75	\$2,026,546.12	(\$271,140.37)
August	\$1,359,928.00	\$354,812.32	\$1,714,740.32	\$2,293,041.96	(\$578,301.64)
September	\$1,359,928.00	\$467,820.32	\$1,827,748.32	\$1,909,621.88	(\$81,873.56)
October	\$1,359,928.00	\$365,042.95	\$1,724,970.95	\$2,776,745.52	(\$1,051,774.57)
November	\$1,359,928.00	\$361,217.74	\$1,721,145.74	\$1,988,714.66	(\$267,568.92)
December	\$1,359,928.00		\$1,359,928.00		\$1,359,928.00
January	\$1,359,928.00		\$1,359,928.00		\$1,359,928.00
February	\$1,359,928.00		\$1,359,928.00		\$1,359,928.00
March	\$1,359,928.00		\$1,359,928.00		\$1,359,928.00
April	\$1,359,928.00		\$1,359,928.00		\$1,359,928.00
May	\$1,359,928.00		\$1,359,928.00		\$1,359,928.00
June	\$1,359,928.00		\$1,359,928.00		\$1,359,928.00
FY Year End Totals	\$16,319,136.00	\$1,944,371.08	\$18,263,507.08	\$10,994,670.14	\$7,268,836.94

<u>Business</u>	<u>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>
					<u>74,106,296.00</u>	<u>112,757.42</u>	<u>4,525,005.10</u>	<u>10,763,343.70</u>	<u>39,994,051.63</u>	<u>18,711,138.15</u>	<u>6,587,427.93</u>
Grand Totals					<u>74,106,296.00</u>	<u>112,757.42</u>	<u>4,525,005.10</u>	<u>10,763,343.70</u>	<u>39,994,051.63</u>	<u>18,711,138.15</u>	<u>6,587,427.93</u>



State of Oklahoma
 Allotment Budget and Available Cash
 As Of November 30,2024

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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										0.00
	193									
	19301	01	23	1,291,634.14	.00	.00	.00	1,291,634.14	.00	
	19301	10	23	11,458,514.48	.00	.00	.00	11,458,514.48	.00	
	19311	01	24	34,015.86	.00	.00	.00	34,015.86	.00	
	19311	10	24	2,421,979.52	.00	.00	.00	2,421,979.52	.00	
				<u>15,206,144.00</u>				<u>15,206,144.00</u>		
	194									1,660,860.32
	19401	01	24	1,496,292.00	.00	.00	.00	1,076,277.00	420,015.00	
	19401	10	24	14,522,852.00	.00	.00	8,191.11	13,273,815.57	1,240,845.32	
				<u>16,019,144.00</u>			<u>8,191.11</u>	<u>14,350,092.57</u>	<u>1,660,860.32</u>	
	195									439,094.39
	19501	01	25	1,293,813.00	.00	.00	280,861.99	.00	1,012,951.01	
	19501	10	25	15,025,331.00	.00	965,674.57	6,079,688.62	.00	7,979,967.81	
				<u>16,319,144.00</u>		<u>965,674.57</u>	<u>6,360,550.61</u>		<u>8,992,918.82</u>	
	200									4,248,213.17
	20000	01	23	33,449.00	.00	.00	.00	4,427.19	29,021.81	
	20000	01	24	33,450.00	.00	.00	.00	133.62	33,316.38	
	20000	01	25	21,350.00	.00	.00	.00	.00	21,350.00	
	20000	10	23	4,252,447.00	.00	282,679.25	2,724.66	3,520,414.88	446,628.21	
	20000	10	24	5,345,027.00	109,685.90	297,801.60	421,595.09	3,508,081.78	1,007,862.63	
	20000	10	25	8,686,747.00	.00	1,924,121.54	3,042,216.48	.00	3,720,408.98	
	20000	88	23	1,859,908.00	.00	91,140.50	34,590.16	1,728,493.41	5,683.93	
	20000	88	24	3,849,018.00	2,427.48	184,770.10	140,129.65	1,401,634.51	2,120,056.26	



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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									4,248,213.17
	20000	88	25	1,516,330.00	644.04	767,141.63	724,349.88	(44.00)	24,238.45	
				25,597,726.00	112,757.42	3,547,654.62	4,365,605.92	10,163,141.39	7,408,566.65	
	400									239,026.42
	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	01	25	44,896.00	.00	.00	14,406.15	.00	30,489.85	
	40000	10	23	142,161.00	.00	.31	.00	104,593.35	37,567.34	
	40000	10	24	110,005.00	.00	1,675.60	1,403.82	106,925.58	.00	
	40000	10	25	122,021.00	.00	10,000.00	13,186.09	.00	98,834.91	
	40000	88	23	500,000.00	.00	.00	.00	63,154.74	436,845.26	
				964,138.00		11,675.91	28,996.06	274,673.67	648,792.36	
	994									233.63
Business Unit Totals				74,106,296.00	112,757.42	4,525,005.10	10,763,343.70	39,994,051.63	18,711,138.15	6,587,427.93



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<u>Business</u>	<u>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					<u>74,106,296.00</u>	<u>112,757.42</u>	<u>4,525,005.10</u>	<u>10,763,343.70</u>	<u>39,994,051.63</u>	<u>18,711,138.15</u>	<u>6,587,427.93</u>

Calendar for Year 2025 (Observed)

January						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February						
Su	Mo	Tu	We	Th	Fr	Sa
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March						
Su	Mo	Tu	We	Th	Fr	Sa
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April						
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May						
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4	5	6	7	8	9	10
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18	19	20	21	22	23	24
25	26	27	28	29	30	31

June						
Su	Mo	Tu	We	Th	Fr	Sa
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August						
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					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
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28	29	30				

October						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
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19	20	21	22	23	24	25
26	27	28	29	30	31	

November						
Su	Mo	Tu	We	Th	Fr	Sa
						1
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

December						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

OK State Holidays:

Jan 1 New Year's Day
Jan 20 Martin Luther King Jr. Day
Feb 17 Presidents' Day (Most regions)
May 26 Memorial Day

Jul 4 Independence Day
Sep 1 Labor Day
Nov 11 Veterans Day

Nov 27 & 28 Thanksgiving
Dec 24 & 25 Christmas