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

**BOARD MEETING AGENDA
REGULAR MEETING**

Thursday, March 3, 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 November 16, 2021.
- 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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**OFFICE OF THE CHIEF MEDICAL EXAMINER
BOARD OF MEDICOLEGAL INVESTIGATIONS**

**BOARD OF MEDICOLEGAL INVESTIGATIONS
SPECIAL MEETING**

Board Meeting Minutes from
Tuesday November 16, 2021 at 2:00 p.m.
921 NE 23rd Street, Oklahoma City, OK 73105
and Via Videoconference at
1115 W. 17th, Tulsa OK 73107, 918-295-3400

In conformity with the Oklahoma Open Meeting Act, advance notice of this meeting was transmitted to the Oklahoma Secretary of State on October 29, 2021 at 9:27 A.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. Keith Reed, Mr. Tyler Stiles, Dr. Michael Magguilli, Mr. Robert Hoisington and Dr. Eric Pfeifer.

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

Members absent: None

Others present: Dr. Joshua Lanter (OCME), Kari Learned (OCME), Lori Shively (OCME), Niki Batt (OAG), and Franklin Antao (OMES).

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

Mr. Adams asked the new Board Members to introduce themselves. Mr. Keith Reed, Oklahoma State Department of Health, Interim Commissioner of Health replaces Mr. Rocky McElvany. Mr. Tyler Stiles with the Oklahoma Funeral Board replaces Mr. Chris Ferguson. Mr. Robert Hoisington replaces Mr. Glen Huff as the designee for the Oklahoma Bar Association. Dr. Michael Magguilli replaces Dr. Roy Zhang as the designee for the Dean of the College of Medicine of the University of Oklahoma. The remaining Board Members introduced themselves.

Dr. Harp motioned to adopt the minutes from the August 5, 2021 meeting with one correction. (Page 3, change case to cash) Dr. Stewart seconded the motion. Roll was called, and all were in favor.

- 2022 meeting dates for the Board of Medicolegal Investigations, Office of the Chief Medical Examiner.

Dr. Stewart motioned to accept February 3rd, March 3rd, April 7th, May 5th, August 4th, and November 3rd as regular OCME Board meeting dates for 2022. Mr. Stiles seconded the motion, roll was called, and all were in favor.

- Nomination, discussion, and possible election of the Board Chairman.

Mr. Adams opened the floor for discussion and nominations for Board Chairman. Dr. Stewart informed the Board that in the distant past and for many years, the role of Chairman and Vice Chairman alternated between two individuals. Due to this, the Board seemed to have some imbalances of power and lost innovation. Within the last 10-15 years it was decided that an individual could serve two terms if the person was willing. The rationale for the Vice Chairman would be to prepare them to become the Chairman.

With this information, Mr. Adams announced he's enjoyed being the Chairman over the last year, however, he has no desire to continue and would like to see someone else nominated.

Deputy Attorney General, Niki Batt, added the statute does provide that an elected member shall not serve in the same capacity as Chairman or Vice Chairman for more than two consecutive years.

Dr. Stewart added with Mr. Adams serving one more year as Chairman it would give the new Oklahoma City based Board members a year to observe the process. Dr. Stewart advised that he supports Mr. Adams and would like to make a motion to nominate him as Chairman for one more year. Dr. Allen seconded the motion. Roll was called, Mr. Adams abstained, all others were in favor.

- Nomination, discussion, and possible election of the Board Vice Chairman.

Mr. Adams opened the floor for discussion and nominations for Board Vice Chairman. Dr. Stewart made a motion to nominate Dr. Harp to serve as Vice Chairman. Dr. Allen seconded the motion. Roll was called, and all were in favor.

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

~ Dr. Pfeifer provided the following updates:

→ Physicians:

The two fellows from the 2020/2021 academic year have already joined as staff, one of which is a hematopathologist. The fellows we are currently training have been given offer letters to join as staff. One has accepted and the fellow, who is a Harvard trained neuropathologist is weighing his options.

→ Case turnaround-time:

The open cases are up slightly from our last meeting. There are currently 354 open cases that exceed 90 days old. This does not concern Dr. Pfeifer at this point.

→ Fellowship program:

As granted by the ACGME (American Council of Graduate Medical Education), the agency has two concurrent fellows.

→ Administration:

One of the agency's critical administrative staff is currently out on extended medical leave. We anticipate her return to be mid-December.

Dr. Pfeifer introduced Franklin Antao who is the agency's imbedded IT (Information technology) manager. Mr. Antao, together with Kari Learned are working to establish an electronic payment system. This will allow funeral homes to pay their invoices online in addition to giving the agency the ability to receive credit card or e-check payments from other entities for items such as reports, toxicology holds, etc.

We have received the annual OMES (Office of Management and Enterprise Services) agency survey. The results will be discussed during our next agency supervisor meeting.

→ Anthropology:

We will be requesting an FTE increase of one anthropologist along with salary adjustments for the anthropologist pay scale.

The new Tulsa practice will include an anthropology laboratory very similar in size and equipment as the one in our Oklahoma City office.

→ Autopsy services:

The autopsy technicians are underpaid relative to local and national levels. Salary increases have been requested for these positions as well.

→ Information technology (IT):

OMES offered the agency an opportunity to take on an embedded IT manager. Given the IT-intense nature of the practice we agreed and are very satisfied with the addition. We have already noticed a positive change in IT issues and projects getting resolved. Additionally, Franklin has been invaluable in the IT provisioning of the Tulsa building project.

→ Investigations:

Scene response time as of October of this year was 1.5 hours. Dr. Pfeifer would like the response time to be closer to one hour. Recently the GeoSafe application was implemented which allows every investigator's location to be known. Death calls no longer adhere to strict district borders; the closest investigator will be assigned the scene. By using this program, we should see a reduction in response time. Dr. Pfeifer reported that although it's unpublished, the industry standard is to have 1 investigator per 100,000 people. At this rate the agency should have 40 investigators statewide, and we currently have 30.

The Tulsa investigators received permission from the Board of My Health to allow us access to electronic medical records to approximately 80% of the hospitals within the state. Lack of access and slow response to requests for medical records has traditionally be the holdup for issuing cremation and out of state transportation permits. This will be at a cost of approximately \$25K per year to the agency.

Permit response time for October 2021 as 10 hours, 31 minutes. Ten years ago, the turnaround time was 5-6 days. The benchmark is 48 hours or less.

→ Toxicology:

Our toxicology lab is one of the top 5 busiest forensic tox labs in the country and has been for the last 3 years. They are currently on track to perform over 70,000 individual assays this year. They need another toxicologist and 2 more forensic chemists.

This was the last year for accreditation through the ABFT (American Board of Forensic Toxicology). All future toxicology accreditation will be through ISO (International Organization for Standardization). The regulatory requirements for ISO will mean a substantial increase in complexity and workload to obtain this certification. The request for additional FTE in the tox lab will enable us to meeting ISO's requirements.

The LIMS (Laboratory Information Management System) was approved last year at a cost of \$358K. At the point of purchase, the company changed hands which as caused major delays with state approval process.

→ Legislative issues:

SB354 is currently on hold. The bill would eliminate the issuing of permits for out-of-state transport permits for Oklahoma counties that border other states. Dr. Pfeifer wrote a letter to Sen. Bergstrom outlining our concerns with this bill. There is potential for miscarriage of justice if a decedent leaves the state. If it is determined the decedent needs an exam, we no longer have jurisdiction to have the body returned to the state. Last year there were a few instances where bodies were transported out of state without a permit and buried before our office had an opportunity to perform an exam. Additionally, if this bill passes it would cause the agency to lose approximately \$250K annually in permit fees.

There was also a projected interim study to assess the feasibility of having county coroners assist in the Medical Examiner's mission. This concerns Dr. Pfeifer greatly because the individuals would not have the training, qualification or answerability to the agency for quality control. The meeting for the study was cancelled at the last minute and has yet to be rescheduled.

→ Priority projects:

- The goal is to obtain re-accreditation by NAME (National Association of Medical Examiners) by 2023.
- Completion of the Tulsa practice site.
- We continue to work with the Oklahoma Medical Association regarding the completion of death certificates in non-jurisdiction cases. We are looking at possible solutions for this issue. This has grown to a volume approximately 1,000 case per year. Dr. Pfeifer's opinion is we should ask for financial assistance or for personnel to assist in the growth of cases.

- Electronic payment system to allow credit card and e-check options for permits and other fees the agency collects

→ Financial:

The financial health of the agency is very strong. We currently have approximately \$9M in cash reserve. This is due to the new Tulsa building coming in under budget. There are still many unencumbered expenses; for example, \$700K for the CT scanner as well as furnishings. Dr. Pfeifer projects there will be a sizeable amount left over and is hopeful that the agency will not need to ask the legislature for as much money next year.

→ COVID-19:

The agency has relaxed the COVID protocol within the office, however, strict requirements are still followed in the autopsy lab.

Mr. Reed asked which LIMS system the agency is going with. Mr. Antao responded Abbott Laboratories is the vendor, we will be using their STARLIMS.

Mr. Reed also inquired about the My Health medical records system. Mr. Antao replied the initial goal was to replace paper-based system the agency uses. My Health covers most of the state and will be a more comprehensive resource for obtaining medical records. Dr. Pfeifer added we are requesting 44 end-user licenses for the investigative and permit staff. This is at a cost of approximately \$2,500 per month.

Mr. Hoisington asked if there is a particular group or individual that is pushing the interim study for the coroner system. Dr. Lanter said the letter inviting the agency to the study was signed by Rep. Steve Bashore from House District 7. This is in the north eastern part of the state and in part covers Afton, Miami and Grove which are in Delaware and Ottawa counties.

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

~ Dr. Lanter provided the following updates:

→ Dr. Lanter provided a little bit of history on the Tulsa building. The current Tulsa office sits in the OSU (Oklahoma State University) medical school complex and opened in 1980. Approximately 2 years ago, the agency formed a relation with OSU to construct a new building which is being built in the agency's old parking lot. The anticipated move date of move in is July 2022, possibly June if everything stays on track. The building is coming along very nicely. Interior walls are going up and some minor adjustments are being made. Tours are given every other Thursday of every month and Dr. Lanter offered a tour to anyone who is interested.

Mr. Reed motioned to adjourn the meeting. Mr. Hoisington seconded the motion. Roll was called and were in favor. The meeting was adjourned at 2:36 pm.

OCME Report to the Board of Medicolegal Investigations, March, 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 data is colored in red.

Top Concerns for OCME operation

1. 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.
2. OCME operations will not be sustainable under the proposed budget in the Executive Budget Summary.
3. HB1134
4. HB4121

Physicians

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

Last years' fellows have joined the staff this past July, bringing the total number of staff physicians then to 14 (two short of need). Two new fellows have joined us also this past July for a one-year training in July. We estimated we need 16 staff and 2 fellow physicians (18 total) to meet re-accreditation parameters. We have offered staff positions to this years' fellows. One has accepted to join the staff and one is pending.

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.

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

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



The 2021 State Climate Survey Comparison appears to be favorable.

We are short one critical admin staff due to illness. We are hopeful this person will return full-time in mid-December.

It looks as if we might be able to implement online payments for cremation and out-of-state transport permits by the first of the year.

We have received the results of the annual OMES agency survey and will discuss this at the supervisors' meeting in two weeks.

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

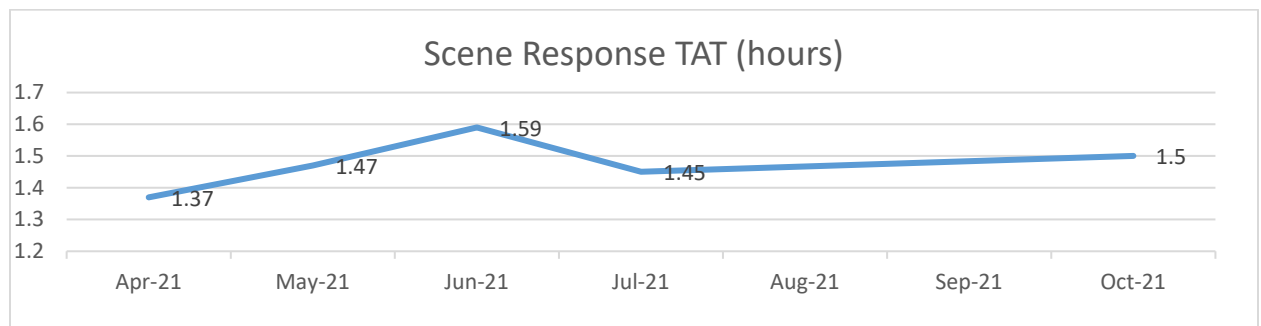
We will be requesting appropriations next fiscal year for an across-the-board salary adjustment for the pathology technicians.

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, February 2021): 1 hr., 24m.

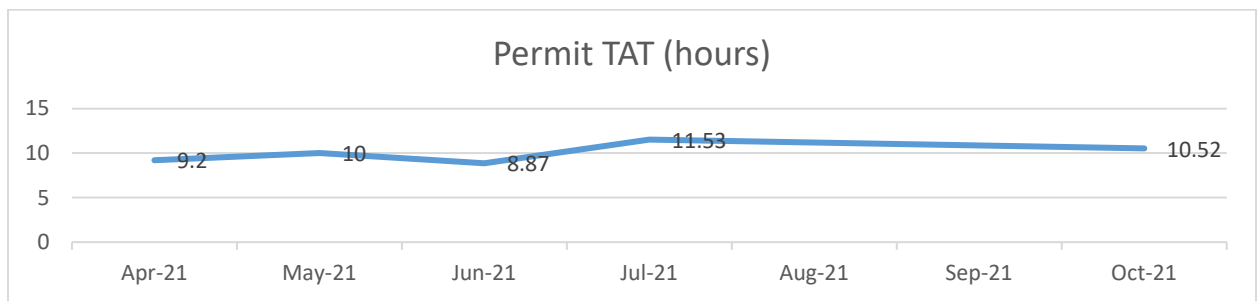


We are continuing to use Geosafe on a trial basis in OKC and Tulsa to optimize distances between investigators and scenes. This system maps the nearest investigator with a scene. So far this appears to be going well, and hope to see a small improvement in scene response TAT.

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, Oct 2021): 15hr., 56 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

SB 354 (no permits for out-of-state transport from counties neighboring other states): ON HOLD—
Dead?.

Interim study to assess feasibility of “county coroners” to assist ME office.

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 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

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