

CENTRAL OFFICE
921 NE 23rd Street
Oklahoma City, OK 73105
Tel: (405) 239-7141
Fax: (405) 239-2430



EASTERN OFFICE
1115 West 17th St.
Tulsa, OK 74107
Tel: (918) 295-3400
Fax: (918) 585-1549

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

**BOARD OF MEDICOLEGAL INVESTIGATIONS
REGULAR MEETING**

Board Meeting Minutes from
Thursday August 5, 2021 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 November 17, 2020 at 2:03 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. Rocky McElvany, Mr. Chris Ferguson, Dr. Roy Zhang, and Dr. Eric Pfeifer.

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

Members absent: Mr. Glen Huff

Others present: Dr. Joshua Lanter (OCME), John Crittenden (OAG), Kari Learned (OCME), Lori Shively (OCME), Renee Steward (OCME), Dr. Jesse Kemp, (OCME), Jodi Dillon (OCME), Dr. Marc Harrison (OCME), and Tyler Stiles (Oklahoma Funeral Board) Tricia Everest (SPS).

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

Mr. McElvany motioned to adopt the minutes as written from the May 6, 2021 meeting. Mr. Ferguson 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:

→ Staff:

The agency added two new physicians on July 1st, they were our fellows from the last academic year. Additionally, two new fellows joined us July 1st. We will evaluate them in November/December to see whether we would like them to join our staff once their training is complete. If this happens, we will have 16 physicians plus 2 fellows. In comparison, we had 6 physicians in 2011 for the entire state.

→ Case turnaround-time:

Open cases greater than 90 days old have dropped a little. We are currently at 297, down from 325 at our last Board meeting. This does not represent a static number of cases, every day we add 20-30 cases to this number. Our goal is to have less than 5% of cases greater than 90 days old, which we are at currently. With these numbers we would avoid a phase 1 deficiency with the National Association of Medical Examiners (NAME). To bring this to no deficiencies, the turnaround-time would need to be signed out at 60 days or less.

→ Fellowship program:

The Accreditation Council for Graduate Medical Education (ACGME) has approved 2 fellowship slots for our program. Some programs similar in size to ours have 4 fellows. At this time we do not want to take on 4, although we do have the caseload to support it. This is a great investment of time and resources to teach a fellow and for our program, 2 is enough now.

→ Administration:

All admin staff were given salary adjustments from the dissolution of the Chief Administration Officer (CAO) salary. There hasn't been a consistent increase in many years; sporadic increases for some but not across the board.

A position for a fellowship program coordinator was added in Oklahoma City. Additional responsibilities include accounts receivable/collections.

→ Anthropology:

The agency needs another anthropologist, if not two. We will be asking for one in our budget request. There are many clandestine, shallow graves in Oklahoma. We anticipate many scene excavations and will need more staff, whether it be a full-time forensic anthropologist or interns to help with the workload. Anthropology is a very slow-going process and is very complicated.

→ Autopsy services:

We will be requesting salary adjustments for autopsy services staff as well. We've obtained some local and regional data to determine what autopsy technicians are being paid.

→ Information technology (IT):

Since July we've had a full time Office of Management and Enterprise Services (OMES) IT expert imbedded within the agency. Currently, he's assisting in provisioning for the new Tulsa building.

→ Investigations:

Scene response time seems stable at the time. The July 2021 average scene response time was 1 hour, 27 minutes. This is for the entire state, all 77 counties. Dr. Pfeifer would like to see this number closer to an hour. The GeoSafe system, which assigns an investigator to the nearest scene, should allow us to see a slight improvement in response time. In order to see a significant improvement in response times, the agency will need to hire additional investigators. An unsubstantiated rule of thumb is that offices need 1 investigator per 100K population. At this ratio, we should have approximately 40 investigators and we currently have 30. We will work on this in the coming years.

Our investigators are among the least compensated regionally, nationally as well as within our state in comparison to other investigators. With this, we are looking at salary increases for investigators as well.

Permit turnaround times are fairly stable. July saw a slight increase of an average turnaround time of 11 hours 53 minutes. We do not want to exceed is 48 hours.

→ Toxicology:

The toxicology staff are by far the least compensated, not only nationally, regionally and within the state for similar positions. Pay increases for the chemists and toxicologists are in the budget workbook for next year. We are also looking at an additional forensic toxicologist.

This will be the last year we are eligible for accreditation by the American Board of Forensic Toxicology (ABFT). After this year, there will be no conventional toxicology laboratory accreditations. The accreditations will be through the International Organization for Standardization (ISO) which is extremely complicated and requires much more effort.

→ Legislative issues:

Senate Bill 354; is written to eliminate out of state transport permits from counties that neighbor other states. Dr. Pfeifer met personally with Senator Bergstrom to discuss the bill. Dr. Pfeifer feels this bill is not good for the agency and gives outside funeral homes jurisdiction over bodies that are transported out of state.

→ Priority projects:

Reaccreditation from NAME and completion of the Tulsa office remain the priorities.

We continue to sign death certificates on non-jurisdiction cases. These are cases where physicians refuse to sign a death certificate on their patient.

We are still looking into credit card payment options for permits.

→ Financial:

Approximately \$500K was allocated for IT in the Tulsa building and it appears this will come in between to \$300-\$400.

We currently have approximately \$9M available cash. The carryover changes quickly; we just issued funds for the Tulsa building which was several million dollars. Expenditures have increased by adding two new full-time physicians and paying for the Tulsa facility.

→ COVID-19:

We're currently seeing an increase in the number of fatalities, both in our autopsy labs and in permits. We are carefully reevaluation procedures in an effort to keep the virus from propagating within our agency. We have standby cooler capacity for decedents which we've offered the state when case hospitals fill up. Right now, we have 60-70 slots that we can offer.

Mr. Adams referenced the expenditure report and asked Dr. Pfeifer if the figures reflect what was budgeted for the month. Mrs. Steward confirmed this is what was budgeted; however, the report doesn't reflect expenditures.

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

~ Dr. Lanter provided the following updates:

→ The Tulsa office added two new positions, one of which is an Administrative Assistant. This position was filled by a current employee and was created to assist administrative staff to share some of the workload. This also includes criminal and civil litigation as well as IT support in the Tulsa office. Additionally, this employee is helping Dr. Lanter with the new Tulsa building. This position is the first addition to Tulsa admin in more than 12 years. We also created an Autopsy Technician Supervisor position. One of the autopsy technicians who has been with the agency for several years was promoted into the role. Dr. Deol stayed on as a staff pathologist at the end of his fellowship, giving Tulsa 5 fulltime physicians plus the new fellow, Dr. Michalski.

The new Tulsa building seems to be moving along smoothly. The completion date is still late spring with move in during the summer. The current focus is on IT, wiring and the internal elements of the building.

Dr. Lanter added that the regular VIP tour of the new facility is at 11:00 a.m., the 1st Thursday of every month. Anyone interested in seeing the building can email Dr. Lanter and he can make the arrangements.

Dr. Zhang asked Dr. Pfeifer if the state budget increases every year to increase the salary for all employees. Dr. Pfeifer explained the agency was successful in getting salary increases for our doctors and now the focus is on the salaries of investigators, autopsy technicians and chemists since they have fallen behind.

Mr. Adams asked Dr. Pfeifer if the agency has any revolving funds that have been recently impacted by changes in laws. Dr. Pfeifer replied no, however, SB354 could cause a major effect with an estimated impact of \$250K.

Mr. Crittenden mentioned tracking time and resources used in McGirt cases that will be retried in the Federal Court system. He also mentioned bringing this to the attention of the Governor's office, Attorney General's Office and/or Legislative leaders to try to come up with a plan for the Federal Government to reimburse the agency until they establish their own labs. These Federal cases will be an enormous impact to the agency's budget.

Mr. Ferguson announced to the Board that this is last meeting, he has resigned from the Funeral Board. A new appointment will be made next Thursday during the Funeral Board's meeting. He thanked Dr. Pfeifer for his leadership and Kari Learned for her assistance. Mr. Adams and Mr. McElvany thanked Mr. Ferguson for his years of service to the Board.

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