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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, June 13, 2013 at 2:00 p.m.
Location Office of the Chief Medical Examiner
901 N. Stonewall, Oklahoma City, OK 73117, 405-239-7141 and
Via Videoconference at 1115 W. 17th St., Tulsa, OK 74117, 918-582-0985

In conformity with the Oklahoma Open Meeting Act, advance notice of this meeting was transmitted to the Oklahoma Secretary of State on June 10, 2013 at 9:54 AM 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, 901 N. Stonewall, Oklahoma City, OK and on the front door of the Office of the Chief Medical Examiner Eastern Division, 1115 W. 17th, Tulsa at 11:59, June 12, 2013.

Members Present: Mr. Chris Ferguson, Mr. Rocky McElvany, Mr. Charles Curtis, Dr. Barbara Bane,

Members Attended via Videoconference: Dr. Doug Stewart, Dr. Karlis Sloka and Mr. Thomas Mortensen

Members Absent: Dr. Michael Ogle

Others Present: Amy Elliott (OCME), Kari Learned (OCME), Martha Kulmacz (OAG), Susan Werner (OAG), Bruce Walker (DPS) and Graham Brewer (eCapitol)

Mr. Ferguson called the meeting to order at 2:02 p.m. Roll was called and a quorum was established.

Mr. McElvany motioned to adopt the minutes from the May 9, 2013 meeting. Dr. Stewart seconded the motion. Roll was called, Mr. Curtis and Mr. Mortensen abstained, and all others were in favor.

Dr. Pfeifer provided the following Agency update.

- Dr. Pfeifer provided the financial update. There is basically the same type of carryover as previous months. This will deplete once all of our new pathologists are on staff. There are plans to use a portion of the additional funds to install in ground tornado shelters in the garages of the Oklahoma City and Tulsa facilities. The cost will be approximately \$5K per shelter and should hold 10-12 people.

- This morning Dr. Pfeifer and Ms. Amy Elliott, met with Steve Kreidler and President Betz from UCO along with Governor Fallin and her staff. They outlined the plan for a collaborative structure which will house the machinery that will allow us to fulfill OS 63 and also have teaching space for UCO students. The potential relationship and square footage needed were discussed. Once all is approved and the architects become involved the most likely avenue for funding will be the Master Lease Program. This will likely be challenged in the Supreme Court. A letter requesting validation of this has already been submitted. June 26th or 27th a referee for the Supreme Court will hear that request. Dr. Pfeifer will provide an update on the decision hearing to the Board at the next meeting.

- Dr. Pfeifer advised that 48 decedents came into the office as a result of the recent outbreak of tornadoes and flash flooding in Shawnee, Moore and El Reno in the month of May. The disaster plan that was in place when we experienced the tornadoes on May 17th was a very good one.

Counseling and debriefing was offered to staff since they performed duties that are out of the realm of their normal jobs. This included talking to family members and taking information about loved ones that were missing. They quickly understood the emotions that are involved.

The initial number of deaths reported was incorrect. This happened when one group would advise us of death(s) and the same death(s) were reported again by another agency. This has since been corrected, in that the death is not part of a report until the decedent arrives at the ME office.

Ms. Elliott thanked Mr. McElvany for all his help in providing resources and being available at all hours throughout the disaster. Dr. Sloka asked if there were any problems with body storage during that time. Dr. Pfeifer explained that with the help of Mr. McElvany and the DMORT team, we were provided with portable refrigerated trailers for temporary emergency use.

Mr. Curtis asked if there had been communication issues between our office and the investigators in the field during the disaster. Dr. Pfeifer confirmed that since cell phone towers were down, we did not have acceptable communication with the field. Mr. Curtis suggested acquiring 800 MHz radios for future use in disasters.

Mr. Ferguson questioned releasing the cause of death on the victims of the storms to the media so quickly. Dr. Pfeifer explained that due to the nature of the injuries, it was not difficult and was almost instantaneously determined.

Dr. Sloka asked if any DMORT pathologists were used during the disasters. Dr. Pfeifer advised that a preliminary assessment team were here to get a better understanding of the situation. Once this was determined it was deemed unnecessary to use the DMORT pathologists. Mr. Curtis acknowledged that Dr. Pfeifer and his staff did a wonderful job during these disasters.

- Dr. Pfeifer announced Agency goals for FY14 will consist of fixing the permit system. This is priority number one as well as evolving toward an electronic medical records system. Dr. Pfeifer is working toward getting everyone that has been hired in place and up to capacity. He will also be very active in the planning of a new facility when that time comes and to bring the Tulsa office up to the same standard. Mr. Ferguson requested to be included in the permit process when that begins to evolve. He expressed concern of the turnaround time in getting permits back to the funeral homes. Mr. Ferguson suggested

communicating through email to keep the funeral industry informed of the status of their permit request. Dr. Pfeifer advised that with the proposed new system, the funeral home would automatically receive an email advising their request had been received and is being worked. Ms. Elliott mentioned that there are a very small percentage of the funeral homes that have begun to provide medical records and or a death certificate signed by the PCP at the same time they submit the permit request. This speeds up the turnaround time process significantly. Mr. Ferguson asked to have this information provided to the funeral homes and Ms. Elliott acknowledged she would make sure the information goes out to them.

Ms. Elliott provided an update:

- Ms. Elliott provided an update on the electronic permit status. Tod Hardin at DiscoverSoft is working with the State Health Department trying to get the ROVER permits information to feed over to our database. We are hopeful that this will only take another week or two. Then the Agency will work with it in a test environment prior to making it available to the funeral homes.
- As an update on permit turnaround time, in March we had was an average of 3.3 days and this past month it is down to 2.1 days. When we join forces with ROVER the TAT will reduce even more with permit information no longer being entered by manually.
- The Tulsa office is being remodeled to create additional office space to house the new pathologists coming on board. This construction should be finished by July 1st which is the same date Dr. Goolsby will be joining us in Tulsa. Dr. Weins will be joining the Tulsa office in October and Dr. John has resigned effective July 31st.
- We are seeing a huge fuel savings in the new CNG cars. One particular investigators fuel cost has gone from a monthly average of \$600 to \$700 to \$53.13 this past month. This is an average of .03¢ per mile for fuel.
- Ms. Elliott advised the Oklahoma City office will have lights installed to replace our existing ones for a cost of \$21.00 per light. These will reduce our energy bill and OG & E is offering a rebate of \$17.50 per light that is replaced.
- The following is a Legislative recap; SB 37 passed and goes into effect November 1, 2013. This removes the State Department of Health from the approval process for transportation out of state. Possible legislation for next session will be to request fee increases. Mr. Ferguson and Ms. Elliott would like to update the language in O.S. 63. Dr. Pfeifer and Ms. Elliott discussed the possibility of adding language for a review committee to the Chanda Turner Act. (O.S. 2011) if the Board sees fit.
- Mrs. Elliott offered to email the Board a list of the victims from the tornadoes. Dr. Pfeifer recognized our forensic anthropologist, Angela Berg, for starting leader boards on the storm victims. This information was instrumental in keeping all of the cases organized and up to date.
- The Budget Work Program was discussed and no action was taken at this time.

After some discussion, Dr. Stewart nominated Mr. Ferguson as Board Chairman. Mr. Curtis seconded the motion. Roll was called and all were in favor.

After some discussion, Mr. Sloka nominated Dr. Stewart as Vice Chairman. Mr. Mortensen seconded the motion. Roll was called and all were in favor.

Ms. Martha Kulmacz with the Attorney General's office advised that it is the advice of the attorney for this Agency that any disclosure of discussions between the attorneys and the Board would seriously impair the ability of the of the public body to process the claim or conduct its defense in pending litigation and it is her recommendation that the Board enter into Executive Session.

Mr. Curtis motioned to enter into Executive Session to discuss pending litigation in the case of Deaton vs. OCME, Case # CV-2010-934. Mr. McElvany seconded the motion. Roll was called and all were in favor.

The videoconference was disconnected at this time.

There was an attempt to reconnect the videoconference; however, there was no answer on the other end.

Mr. Curtis motioned to exit Executive Session. Dr. Bane seconded the motion. Roll was called and all were in favor.

Mr. Curtis motioned that Dr. Pfeifer represent the Agency in the Case of Deaton vs. OCME (CV-2010-934) and he has settlement authority at the upcoming mediation. Dr. Bane seconded the motion. Roll was called and all were in favor.

Mr. McElvany motioned to adjourn the meeting. Mr. Ferguson seconded the motion. Roll was called and all were in favor.

The meeting was adjourned at 3:00 pm.