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

**BOARD OF MEDICOLEGAL INVESTIGATIONS
REGULAR MEETING**

Board Meeting Minutes from
Thursday, March 5, 2020 at 2:00 p.m.
921 NE 23rd Street, Oklahoma City, OK 73105
405-239-7141
And via videoconference at
1115 W. 17th St., Tulsa, OK 74107
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 November 20, 2019 at 11:12 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, 921 NE 23rd Street, Oklahoma City, OK and on the front door of the Office of the Chief Medical Examiner Eastern Division, 1115 W. 17th, Tulsa.

Members present: Mr. Glen Huff, Mr. Ricky Adams, Mr. Rocky McElvany, Mr. Chris Ferguson, Dr. Robert Allen and Dr. Eric Pfeifer.

Member present via videoconference: Dr. Doug Stewart

Members absent: Dr. Roy Zhang.

Others Present: Amy Elliott (OCME), Kari Learned (OCME), Kari Greene (OCME), Dr. Josh Lanter (OCME), Dr. Marc Harrison (OCME), Lori Shively (OCME), Renee Steward (OCME) and John Crittenden (OAG), Jackie Zamarripa (OAG) Erin Moore (OAG) and Julie Corley (OAG). Via video conference; Dr. Ross Miller (OCME).

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

Mr. Ferguson motioned to adopt the minutes as written from February 6, 2020, meeting. Dr. Allen seconded the motion. Roll was called and all were in favor.

Mr. Adams motioned to adopt the minutes as written from February 14, 2020, meeting. Mr. McElvany seconded the motion. Roll was called, Mr. Ferguson abstained and all were in favor.

Mr. Huff requested the agenda item regarding legal action in Frazier v. OCME, 19-CV-38-GKF-FHM (N.D. Okla.) be heard at this time. Mr. Crittenden advised that it is in the Board's best interest and pursuant to the Open meeting Act, he recommends the Board enter into Executive session to discuss confidential attorney client privileged information.

Mr. Ferguson motioned to enter into Executive session to discuss legal action in Frazier v. OCME, 19-CV-38-GKF-FHM (N.D. Okla). Dr. Allen seconded the motion. Roll was called and all were in favor.

* Videoconference with Tulsa was disconnected at this time.

Mr. Ferguson motioned to exit executive session. Mr. Adams seconded the motion. Roll was called and all were in favor. Mr. Ferguson announced only this case was discussed and no action was taken.

* Videoconference with Tulsa was reestablished at this time.

Mr. Ferguson motioned to accept the mediator's suggestion regarding the settlement of the Frazier v. OCME case. Dr. Allen seconded the motion. Roll was called, Dr. Stewart abstained, and all others were in favor.

Update by Chief Medical Examiner, Dr. Pfeifer

- Financial snapshot –

~ The carryover for last month was \$680K, with the current available cash of \$14M. \$10M is earmarked for new Tulsa project and will be dispersed between now and May 1st. The remainder will go to major purchases such as the CT scan as well as furniture, fixtures and equipment for the new facility.

- Priority projects –

~ Ground breaking for the new Tulsa facility is scheduled for May 1, 2020. The driving force behind the priority projects is NAME (National Association of Medical Examiners) reaccreditation. This means going through an extensive checklist to make sure that all the requirements are met. We would like to invite the NAME inspectors to our facilities in about 2 ½ years.

Dr. Pfeifer recently assumed supervision of the medicolegal death investigators. He has noticed a lot of room for improvement and has received some great ideas from investigators.

One thing Dr. Pfeifer has envisioned is a quality assurance process within our cases database. This would automatically detect errors and omissions as well as flag and provide trend analysis. Long-term, Dr. Pfeifer would like the agency to go to a paperless system.

Legislative challenges are currently SB1893 authored by Sen. Stephanie Bice. This bill was written and promulgated without any consultation with our agency. The essence of the bill requires the investigators of the OMCE to complete the 11 page SUDI (sudden unexplained death of an infant) death investigation form and collecting information from hospitals and law enforcement as well as other agencies. This is an extremely time consuming task and with the number of these case that we investigate every year, we are easily looking at another ½ FTE (full-time employees) of an investigator position. Dr. Pfeifer said without the extra FTE we will not be able to comply with the provisions of this bill. Due to the impact of the bill, Dr. Pfeifer has asked for an emergency appropriation for 2 additional death investigators.

Update from Chief Administrative Officer – Mrs. Amy Elliott

- Budget –

~ The budget request has been amended to request an additional \$170K for 2 death investigators and the benefits associated with those positions.

- Legislation –

~ Last year HB2758 provided the agency an appropriation of \$5.5M over a 3 year period. When the totals came in, the agency would have been \$1M short. Mrs. Elliott inquired on this and was told that the Oklahoma State University (OSU) team with Sen. Thompson and Rep. Wallace said the next 2 years will actually total \$6M. That was not Mrs. Elliott's understanding. She posed the question to the Capitol because the Agency will not have an extra \$1M if we do not receive the appropriations needed for the Tulsa project. Mrs. Elliott has spoken with a couple of senators and the budget analyst staff to ensure everyone has the same understanding.

Mrs. Elliott is also following SB1359 which would allow Department of Human Services (DHS) to authorize anatomical donation of children within their protective custody if the withdrawal of life-sustaining medical treatment or denial of the administration of cardiopulmonary resuscitation is authorized. Mrs. Elliott called and spoke with the author to make sure the bill would not affect the Office of the Chief Medical Examiner being notified as required by law. She was reassured the agency would still be notified.

HB3345, referred to as Ida's law, relates to missing and murdered indigenous persons. The bill directs the Medical Examiner's Office and other agencies to assist in developing training and education on missing and murdered indigenous persons.

Also being watched is SB1709. In this Bill, specific agencies can submit a written request to apply for an exemption from the Information Technology Consolidation and Coordination Act if the agency can prove a cost savings can be achieved.

Update from the Deputy Chief Medical Examiner – Dr. Josh Lanter

- Tulsa office updates –

~ Dr. Lanter announced that the Tulsa office is adding one new full time autopsy technician to their staff. This is in preparation of the move to the new building and applying for NAME reaccreditation. They are holding off hiring additional FTE due to space limitations in the current location. This brings the autopsy support staff to 6 full time and one part time.

Ground breaking for the new facility is scheduled for May 1, 2020.

- A motion was made by Mr. McElvany to enter into executive session for the purpose of discussing the performance, evaluation and employment of the Chief Medical Examiner. Mr. Adams seconded the motion, roll was called and all were in favor.

* Videoconference with Tulsa was disconnected at this time.

~ Mr. Adams motioned to exit executive session. Mr. Ferguson seconded the motion. Roll was called, Dr. Stewart left the meeting during executive session and all others were in favor. No action was taken.

- New business –

~ No new business

Dr. Allen motioned to adjourn the meeting. Mr. McElvany seconded the motion and approved. Roll was called and all were in favor. The meeting was adjourned at 3:24 pm.