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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, November 6, 2014 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 December 12 at 4:22 PM 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 12:44 pm, November 5, 2014.

Members Present: Mr. Chris Ferguson, Mr. Rocky McElvany, Dr. Barbara Bane & Dr. Steve Vogel.

Members attended via Videoconference: Dr. Doug Stewart, Dr. Karlis Sloka & Mr. Thomas Mortensen

Members Absent: Mr. Charles Curtis

Others Present: Dr. Josh Lanter (OCME) via videoconference Amy Elliott (OCME), Kari Learned (OCME), Dr. Clay Nichols (OCME), Callie Farrar (OCME) via videoconference, Dr. Marc Harrison (OCME), Tiffany Wythe (OAG), Alyssa Harrison (United Tissue Network)

Mr. Ferguson 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 from the August 7, 2014 meeting. Dr. Bane seconded the motion. Roll was called and all were in favor.

Update from Chief Medical Examiner, Dr. Eric Pfeifer

● Financial Update:

~ Last month we made a \$446K lump sum expenditure for the anticipated second payment of the Lodox x-ray equipment. We have \$4.3M in our major accounts and the account from which we make our instrument purchases has noticeable fluctuation as payments are made. All other accounts are growing on track as predicted with the increase of appropriations. We have purchased approximately \$1.5M in equipment for the Oklahoma City practice that will go with us to the new building.

●Agency progress:

- ~ We have two new pathologists, Dr. Cheryl Niblo in Tulsa and Dr. Clay Nichols in Oklahoma City. Dr. Miller will join our Tulsa practice in 2015.
- ~ The state currently has full coverage with investigators. We are adding a forensic anthropologist who will join us in January.
- ~ We currently have no external exam cases greater than 90 days and 133 autopsy cases older than 90 days.
- ~ Cremation permit process is very close to being a web based application.
- ~ We are in the process of scanning 35mm photographic (case) slides in-house
- ~ Lodox x-ray machines are up and running in Oklahoma City and Tulsa. Dr. Wiens has done a short study and calculated an 87% time savings by using the Lodox vs. conventional x-ray systems.

●Challenges ahead for the Agency;

- ~ We will meet with Preston Doerflinger in a couple of weeks to discuss movement on the new building.
- ~ Forensic pathologists are currently hard to find and becoming more scarce. There are several fellowships throughout the Country that were not filled this year. Practices in neighboring states have increased the starting salary which increases the competitiveness.
- ~ A case which had been ratified by 12 forensic pathologists, recently received a judicial “correction” of a medical examiner’s opinion. This has ethical implications for the Agency as well as issues regarding the accuracy of certifying death certificates.

Chief Administrative Officer, Amy Elliott provided the following update:

●Priority projects:

- ~ We are currently waiting on the Office of Management and Enterprise Services to approve the security measures for the web based permit system. We cannot move forward until we receive the approval. We anticipate this taking approximately 2 weeks or less.
- ~ Both employees working permits in Oklahoma City have been promoted, creating openings. We have hired 2 new employees, Ingrid Carter and Cathy Parks. This turnover created a short period when the turnaround time was a little longer than normal; however, we are back on track.

●Agency update:

- ~ The RFID (Radio-frequency identification) body tracker system is close to being complete. Once the permit application is complete, this project is next on the list.
- ~ Scanning of old files is now complete.
- ~ Both Lodox x-ray machines are installed and working.
- ~ The handheld radios have been programed and distributed to the investigators who have been trained.
- ~ The new dictation equipment for the Oklahoma City office is installed and working.
- ~ We will start to impose the \$5.00 per day storage fee allowed in Title 455 for bodies that are not picked up by the funeral home within 3 days of being released. This is due to the shortage of space in our coolers, both in Oklahoma City and Tulsa.
- ~ Funeral homes have been notified that effective July 1, 2015 the Agency will no longer sign death certificates that do not fall within our jurisdiction. Per Dr. Pfeifer, a death will be considered attended if the decedent has been seen by a primary care physician within 60 days prior to their death.
- ~ The language in Title 63 was updated in part to include; decedent and decedent parts being transported out of state for anatomical donation must be issued a permit.

~ We recently underwent a mandatory operational audit. The preliminary findings of the audit were very favorable. There are only a couple of areas of risk which need an additional employee to review for accountability purposes.

~ FY15 budget work plan was submitted. The plan requested an additional forensic pathologist, 1 forensic fellow and a one-time \$8M appropriation for the reconstruction of the Tulsa practice.

Tulsa Office Manager, Callie Farrar provided the following update:

●Dr. Ross Miller will join the Tulsa practice in July of 2015. We will be losing our family assistance coordinator, Kristine Brinlee who completed her Master's Degree and will be taking a position as a therapist. The Tulsa area districts are fully staffed with investigators.

The primary change to the Cremation Process policy is on page 2 C, fee waivers. This allows for a permit fee to be waived only for the following; children up to one year of age, indigent (with documentation from the county) and incarceration deaths. Mr. McElvany motioned to approve the amendments to the cremation and out of state transport permit policy. Dr. Bane seconded the motion. Roll was called and all were in favor. The policy becomes effective November 6, 2014.

Chairman Ferguson opened the floor for nominations for Chairman for the Board of Medicolegal Investigation. Mr. McElvany motioned to nominate Mr. Charles Curtis as Chairman. Dr. Stewart seconded the motion. Roll was called and all were in favor.

Chairman Ferguson opened the floor for nominations for Vice Chairman for the Board of Medicolegal Investigation. Mr. McElvany motioned to nominate Mr. Chris Ferguson as Vice Chairman. Mr. Mortensen seconded the motion. Roll was called and all were in favor.

Mr. Ferguson recommended the 2015 meeting dates for the Board of Medicolegal Investigations to be the first Thursday of February (5), March (5), April (2), May (7), August (6), November (5) and December (3). Mr. McElvany motioned to adopt the dates as proposed for the 2015 meetings. Dr. Bane seconded the motion. Roll was called and all were in favor.

Ms. Tiffany Wythe updated the Board on pending litigation in the case of Dr. Collie Trant vs. Office of the Chief Medical Examiner, Case no. CIV-2010-555. The case will continue through Dr. Trant's estate in State court. Mr. McElvany requested an update when the determination has been made regarding the Open Meeting Act. Ms. Wythe agreed to have the update provided to the Board once it becomes available.

Ms. Tiffany Wythe presented a power point presentation regarding the Open Meeting Act. She gave a brief overview of what is required by the Act.

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

The meeting was adjourned at 2:59 pm.