

CENTRAL OFFICE
921 NE 23rd Street
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EASTERN OFFICE
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**OFFICE OF THE CHIEF MEDICAL EXAMINER
BOARD OF MEDICOLEGAL INVESTIGATIONS**

**BOARD MEETING AGENDA
REGULAR MEETING**

Thursday, August 5, 2021 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. Glen Huff, Mr. Chris Ferguson, Mr. Rocky McElvany,
Dr. Roy Zhang, 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, change the sequence of any agenda item, or decide not to discuss any item on the agenda.

- I. Roll call
- II. Adoption of minutes from the Regular meeting of May 6, 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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BOARD OF MEDICOLEGAL INVESTIGATIONS**

**BOARD OF MEDICOLEGAL INVESTIGATIONS
REGULAR MEETING**

Board Meeting Minutes from
Thursday May 6, 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. Rocky McElvany, Mr. Chris Ferguson, and Dr. Eric Pfeifer.

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

Members absent: Mr. Ricky Adams and 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) .

Dr. Allen 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 April 1, 2021 meeting. Dr. Zhang seconded the motion. Roll was called and all were in favor.

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

Dr. Pfeifer introduced the new Secretary of Public Safety, Tricia Everest to the Board.

~ Dr. Pfeifer announced that he will begin providing the agency updates in a new format which he's adopted.

Financial snapshot –

The agency's March 2021 deposits were very strong at \$717K. This came from an increase in cremation permits that were issued during the peak of the COVID-19 virus. This type of revenue has been growing at 4-5% per year over the last 10 years.

The total expenditures are still within line; with a current carryover of approximately \$150-160K per month. This money is for the recruitment and retention of 4 additional physicians. Although the carryover is still strong, it is already incumbered. As of today, the available cash is \$11.96M. Approximately \$3M will immediately be going toward the new building in Tulsa. We also have the expense of the Tulsa CT scanner and the annual maintenance agreement which will total \$1M. As the Tulsa project nears its completion, the available cash will begin to diminish.

Physicians update –

In 2011 the agency only had 6 full time forensic pathologists and today we 12. We will be adding our current fellows, Dr. Celia Cobb and Dr. Rory Deol to the staff effective July 1, 2021. This addition will bring the total number of staff forensic pathologists to 14. We still need to recruit 2 more to meet the requirements for National Association of Medical Examiners (NAME) reaccreditation. This does not include the 2 fellowship slots we have every year. When the agency is fully staffed, we will have 18 physicians to include the fellows.

Case data –

Data collected from May 3, 2021, indicates we currently have 325 open cases exceeding 90 days old. Dr. Pfeifer added that this number represents approximately 2 weeks of caseload in terms of the cases we see.

Case completion parameters –

In March, Dr. Pfeifer set a goal to have all cases that were open at the time the goal was established completed by August 2, 2021. After this date, we will be looking at NAME accreditation parameters to have 90% of cases signed out within 90 days. Next January, we would like to exceed that by having 90% cases signed out within 60 days.

Fellowship program –

Our fellowship program has been very successful. We are approved by the Accreditation Council for General Medical Education (ACGME) for 2 fellowship positions and recently received continued reaccreditation.

Administration –

We dissolved the position of Chief Administrative Officer (CAO) and have reallocated those duties to 3 staff in the central office. Appropriate salary adjustments were made for these roles and responsibilities. Salary adjustments will also be made for the rest of administration in Oklahoma City and Tulsa over the next few weeks using the money save from the dissolution of that position. These increases will not require additional appropriation, as they are a redistribution of the CAO salary.

The Office of Management and Enterprise Services (OMES) has eliminated the Account Executive and IT Strategist positions across the board. Our agency was fortunate to have an OMES employee interested in being embedded in our office. This is someone who is familiar with how our agency operates and is

aware of our IT needs. We discussed acquiring this person with OMES, and this individual will join us June 1st as the IT Manager.

Toxicology –

In terms of caseload, our toxicology laboratory is one of the 10 busiest labs in the United States. We are on track to work over 6,000 cases this year, with approximately 85,000-90,000 assays. Outside the Tulsa project, the major expense for the agency is the Laboratory Information Management System (LIMS) at a cost of \$358K. It has been a 5-year project to recognize which system the agency needed and to get it installed.

Dr. Jesse Kemp provided Dr. Pfeifer with a very detailed study of salary comparisons within the local region. During the next budget cycle Dr. Pfeifer will use this data and request pay increases for the chemists and toxicologists to keep the salaries competitive.

Autopsy Service –

It has been a number of years since the autopsy lab personnel have received a salary adjustment. Dr. Pfeifer will request pay increases for this department as well.

Steve Mullins and Renee Steward have been instrumental in getting the refrigerated trucks operational. These trucks were purchased 11 months ago, and we've experienced many issues with them. It has taken to this point to get them where they are reliable enough to deploy to a disaster site. Additionally, solar panels have been installed as power backup; stainless steel racks have been installed along with a compact scissor lift stays in the trucks.

Investigations –

Jodi Dillon provided Dr. Pfeifer with a packet of market data with salary evaluations. We will be requesting salary adjustments for investigators as well. New equipment has also been requested for the next budget year. The current fleet is aging and beginning to break down. Considering the investigators scene requirements, we are looking at replacing the vehicles with SUVs.

Permit turnaround time for April 2021 was 9 hours, 12 minutes. Our expectation is to have permits signed within 48 hours.

Scene response elapsed time average for April 2021 was 1 hour, 22 minutes. The goal is to keep this time as close to an hour as possible.

Legislative update –

Senate Bill 354 which would eliminate out of state transit permits from counties neighboring other states is currently dormant. However, there is a possibility the bill could be resurrected during the next legislative session. Dr. Pfeifer will keep a close watch on this.

Senate Bill 95 has been signed by the Governor. The bill requires the agency to provide a completed sudden unexplained infant death investigation (SUIDI) form to the Child Death Review Board. We anticipated the costs associated with this bill and were awarded the appropriations requested to cover the expense to the agency.

House Bill 2009 will allow nurse practitioners to sign death certificates. This bill may help our agency on non-jurisdiction cases where we are being asked to sign the death certificates. These death certificates might now be signed by a nurse practitioner.

Priority projects –

The National Association of Medical Examiners (NAME) reaccreditation remains a top priority. We expect to invite the inspection team sometime in 2023; approximately 6 months after the Tulsa office is completed and commissioned for occupancy.

Construction on the Tulsa office is currently about 3 weeks behind schedule. Dr. Pfeifer is not concerned with this.

Dr. Allen asked if there are any NAME requirements regarding the approval of fellowship positions. If so, is there a minimum number that is acceptable for an organization this size? Dr. Pfeifer responded that NAME accreditation does not specify anything other than a fellow physician counts as half a staff physician when workload is calculated. The ACGME will look at a program's size, caseload and staffing to see how many fellow positions a program may have to properly train the fellows. Two years ago, we requested and were approved for an additional fellow bringing our program to two. Our case data would show that we could support 4 fellows, however, until we obtain reaccreditation, we will not request another increase.

Recently we've spoken with members of the Health Department regarding non-jurisdiction cases that are natural deaths with a physician in attendance. These are cases our office ordinarily would not be involved with. There is an increase where Oklahoma physician are unwilling or unable to sign the death certificates. In the past this wasn't an issue, however, the number has grown to approximately 1000 cases per year. This is has become a burden on the agency staff. Medical records and other information must be obtained and reviewed then certify the death certificate. If we become responsible for this case load in the future, Dr. Pfeifer will be requesting an additional ½ FTE (full time equivalent) physician and more investigators. House Bill 2009 could be a solution to this and may take many of these off our hands. We will continue to meet with the Health Department, Medical Licensure Board and Oklahoma Medical Association to discuss a possible solution to have physicians sign these death certificates we shouldn't be signing.

We will be looking at credit card payment options for permit payments from funeral homes. Mr. Ferguson encouraged Dr. Pfeifer to look into this as it will be very beneficial to funeral homes.

Mr. Ferguson asked Dr. Pfeifer who will be responsible for legislation now that the Chief Administrative Officer position has been dissolved. Dr. Pfeifer said that parts have been reallocated to Renee Steward, Lori Shively and Kari Learned. Mr. Ferguson also asked if the agency subscribes to a legislative service. Mrs. Steward confirmed that the agency does. He also suggested we reach out to the agency's cabinet secretary.

Mr. Ferguson asked if all investigator positions are filled. Dr. Pfeifer responded that there may be a couple of vacancies in the eastern districts. Ultimately, Dr. Pfeifer would like to see the agency have

more investigators. The model would be to have 1 investigator per 100K people in the state. Taking this into consideration, and with the most recent census data we would need 40 investigators where we currently have 30.

Dr. Pfeifer described the GeoSafe program the investigators recently started using. This determines which investigator is closest to a scene and the program has cut down on response time and seems to be working well.

Mr. Ferguson asked if everyone is back to work. Dr. Pfeifer said that the agency has a hybrid work environment. He said he has not seen a drop in efficiency and moral is very high.

Mr. Ferguson motioned to adjourn the meeting. Dr. Zhang seconded the motion. Roll was called and were in favor. The meeting was adjourned at 2:30 pm.

OCME Report to the Board of Medicolegal Investigations, August, 2021

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.

Physicians

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. This years' fellows are being evaluated for potential to join the faculty staff in July 2022.

Open cases >90 days (excluding anthropology, July 2021): 297 (down from 325).

Case completion parameters have been set in anticipation of NAME accreditation:

1. >90 of all cases examined on 3,10,2021 and thereafter finalized in less than 90 (ninety) days. Kari Learned to send out a reminder at 70 days.
2. Beginning next January, we will tighten the expectation to finalizing > 90% of cases in 60 (sixty) days. This is the national standard and other busy offices like ours are already doing it.

Fellowship

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 remain as staff we will have 16 staff forensic pathologists. Fellowship applicants are continually being evaluated for admission to our training program.

Administration

Adjustments have been made to all administrative staff salaries. There had not been a systematic salary adjustment for administrative staff in over 9 years. A position of Medical Secretary, to help with the fellowship program, etc., has been filled for applicants. The cost of the increases in administration will mostly come from the savings of the dissolved CAO position and will not require additional appropriations.

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

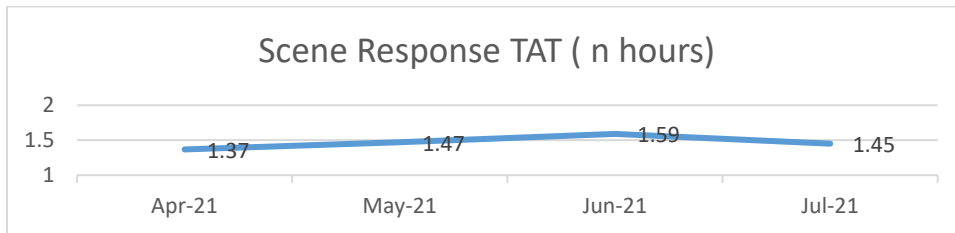
We will be requesting appropriations next fiscal year for an across-the-board salary adjustment for the pathology technicians, and are in the beginning stages of defining a proper increase.

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 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

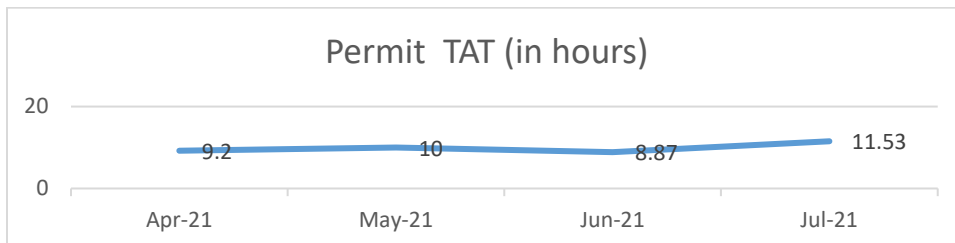
Scene response elapsed times (average, July 2021): 1 hr., 27m.



We are using 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 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, April 2021): 9 hr., 12 m.



Toxicology

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 will be

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 four-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.

Subsequent versions of this report will include toxicology case turnaround time data, which is important to NAME (National Association of Medical Examiners) accreditation. The toxicology lab has consistently been able to process and finalize toxicology cases faster than the physicians are able to complete them.

Legislative Issues

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

I met personally with the author of the bill, Senator Bergstrom, for a discussion of the ramifications of the bill as written, and possible solutions.

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 April-May 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

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 be 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 new increases of COVID-19 (especially the Delta variant strain), and have re-implemented, given the likelihood of having infected deceased patient case(s) present in our buildings, practice-site wide mask mandates, and social distancing. To date we have not had any personnel come down ill from this disease.

END



State of Oklahoma

6 Digit Object of Expenditure Report
 From : July 01,2021 To: July 31, 2021
 From Business Unit: 34200 To Business Unit: 34200

8/4/2021
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<u>Business Unit</u>	<u>Major Class</u>	<u>Sub Class</u>	<u>Account</u>	<u>Current Month</u>	<u>Fiscal YTD</u>	
34200	510000	PERSONAL SERVICES				
		511000				
			511110 Sals-Regular Pay	657,807.71	657,807.71	
			511130 Sals-Non-Reg Pay	18,477.16	18,477.16	
			511210 Longevity Pay-State Employees	10,506.00	10,506.00	
			511280 Holiday Pay - Payroll Only	348.95	348.95	
			511310 Terminal Leave	16,455.02	16,455.02	
			511420 Excess Benefit Allowance	3,774.21	3,774.21	
			511430 Employee Exp.Allow-Reportable	328.13	328.13	
		Sub Class 511000 Total		<u>707,697.18</u>	<u>707,697.18</u>	
		512000				
			512110 Insur.Prem-Hlth-Life-State Pln	100,047.70	100,047.70	
			512210 Unemployment Compen.-Payroll	2,071.60	2,071.60	
			512310 Insur.Prem-Workers Comp.	3,150.39	3,150.39	
		Sub Class 512000 Total		<u>105,269.69</u>	<u>105,269.69</u>	
		513000				
			513110 Employer Share-FICA	40,042.34	40,042.34	
			513120 Employer Share-MQFE/FICA	10,014.30	10,014.30	
			513230 Employer Share OPERS	62,701.03	62,701.03	
			513280 Employer Match-AdFeeSt.Annuity	1,316.70	1,316.70	
			513290 St.Match-Ad Fee-Def Contr	17,788.62	17,788.62	
			513300 Ret.Savings-Def Contr Plan	25,773.89	25,773.89	
		Sub Class 513000 Total		<u>157,636.88</u>	<u>157,636.88</u>	
		515000				
			515380 Other Computer Related Svc	21,471.06	21,471.06	
			515540 Other Prof. Sc. & Tech.Svc	4,136.22	4,136.22	
			515610 Business Service Centers	426.65	426.65	
			515820 Medical & Diagnostic Labs	972.98	972.98	
			515990 Other Svcs-exc.Pub.Admin.	1,906.85	1,906.85	
		Sub Class 515000 Total		<u>28,913.76</u>	<u>28,913.76</u>	



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<u>Business Unit</u>	<u>Major Class</u>	<u>Sub Class</u>	<u>Account</u>	<u>Current Month</u>	<u>Fiscal YTD</u>
	Major Class 510000 Total			999,517.51	999,517.51
34200	520000	TRAVEL			
		521000			
			521110 In-State Mileage-Motor Vehicle	357.84	357.84
			521140 In-State Miscellaneous Charges	24.00	24.00
		Sub Class 521000 Total		381.84	381.84
		522000			
			522113 InStPurPikePassCollFeesAgcyDir	381.63	381.63
			522130 OutofSt Pur Food Ldg Agcy Dir	722.61	722.61
			522131 In-State Pur Food Ldg Agcy Dir	760.00	760.00
		Sub Class 522000 Total		1,864.24	1,864.24
	Major Class 520000 Total			2,246.08	2,246.08
34200	530000	ADMINISTRATIVE EXPENSE			
		531000			
			531110 Freight Expenses	12,624.17	12,624.17
			531120 Postage	700.00	700.00
			531130 Telecommunication Services	2,871.41	2,871.41
			531150 Printing & Binding Contrs	1,033.00	1,033.00
			531170 Informational Service	400.00	400.00
			531230 ERP System Services	643.50	643.50
			531250 Licenses, Permits, etc.	232.00	232.00
			531260 Membership in Organizations	25.00	25.00
			531350 Utility Charge-Other Utilities	28.12	28.12
			531360 Utility Charge Natural Gas	322.40	322.40
			531370 Utility Charge-Electrictiy	4,999.53	4,999.53
		Sub Class 531000 Total		23,879.13	23,879.13
		532000			
			532110 Rent of Office Space	161,244.42	161,244.42



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<u>Business Unit</u>	<u>Major Class</u>	<u>Sub Class</u>	<u>Account</u>	<u>Current Month</u>	<u>Fiscal YTD</u>
34200	530000		ADMINISTRATIVE EXPENSE		
			532141 Rent of Motor Vehicles	111.45	111.45
			532142 Lease of Motor Vehicles	22,418.34	22,418.34
			532160 Rent-Elec Data Processing Eq.	1,291.75	1,291.75
			532170 Rent-Data Processing Software	32,307.66	32,307.66
			Sub Class 532000 Total	<u>217,373.62</u>	<u>217,373.62</u>
		533000			
			533110 Mtce-Rep.-Bldgs-grnds-Vendor	2,586.50	2,586.50
			533120 Mtce-Rep.-Equipment-Vendors	368.12	368.12
			533140 Mtce-Rep.-DP Equip-Vendor	1,146.60	1,146.60
			533150 Mtce-Rep.-Dp Software-Vendors	2,025.00	2,025.00
			533180 Housekpg/Janit./Sanit.Sup,Mat	2,133.62	2,133.62
			533210 Mtce-Rep.-Bldgs-Grnds In-house	1,339.42	1,339.42
			Sub Class 533000 Total	<u>9,599.26</u>	<u>9,599.26</u>
		534000			
			534260 Medical Supplies And Materials	8,337.77	8,337.77
			534290 Motor Fuels-Common	7,145.39	7,145.39
			534310 Motor Fuels-Special	557.62	557.62
			Sub Class 534000 Total	<u>16,040.78</u>	<u>16,040.78</u>
		535000			
			535120 Uniform,Clothing,Accessories	392.00	392.00
			Sub Class 535000 Total	<u>392.00</u>	<u>392.00</u>
		536000			
			536140 Office Supplies (Expendable)	3,082.92	3,082.92
			536150 Data Processing Supplies	450.64	450.64
			536230 Examinations	700.00	700.00
			Sub Class 536000 Total	<u>4,233.56</u>	<u>4,233.56</u>
		537000			
			537150 Shop Supplies - Non-Production	696.22	696.22
			537190 Lab,Medical Supplies-Materials	7,005.40	7,005.40



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34200	530000		ADMINISTRATIVE EXPENSE		
		537210	Laboratory Services	1,513.00	1,513.00
		Sub Class 537000 Total		9,214.62	9,214.62
	Major Class 530000 Total			280,732.97	280,732.97
34200	540000		PROP,FURN,EQUIP & RELATED DEBT		
		541000			
		541160	Equip-Medical	9,078.46	9,078.46
		Sub Class 541000 Total		9,078.46	9,078.46
		542000			
		542120	Library Resources-Textbooks	1,109.33	1,109.33
		Sub Class 542000 Total		1,109.33	1,109.33
		546000			
		546210	Bldgs,Struct.-Constr.-Renov.	1,000,000.00	1,000,000.00
		Sub Class 546000 Total		1,000,000.00	1,000,000.00
	Major Class 540000 Total			1,010,187.79	1,010,187.79
34200	550000		GEN ASST, AWDS, PROG-DIRECTED		
		554000			
		554230	Reimbursement & Repayment -Oth	70.00	70.00
		Sub Class 554000 Total		70.00	70.00
	Major Class 550000 Total			70.00	70.00
Business Unit 34200 Total				2,292,754.35	2,292,754.35
Grand Total by Business Unit				2,292,754.35	2,292,754.35