



Medical Examiners Commission Meeting

February 13, 2024

Barbara C. Wolf, M.D. • Kenneth T. Jones • Nick Cox, J.D. • Charlie Cofer, J.D.

Robin Giddens Sheppard, L.F.D. • Sheriff Robert “Bob” Johnson

Joshua Stephany, M.D. • Michael A. Barnett, J.D. • Amira Fox, J.D.

MEDICAL EXAMINERS COMMISSION MEETING

Orlando Marriott Lake Mary
1501 International Parkway
Lake Mary, FL 32751
February 13, 2024, 10:00 AM EST

Opening Remarks

Introduction of Commission Members and Staff

Approval of Meeting Agenda and Minutes from previous Commission Meeting of October 31, 2023

- Election of Chairman Brett Kirkland, Ph.D.

ISSUE NUMBER

PRESENTER

1. Informational Items:
 - Status Update: MEC Appointments and Reappointments Brett Kirkland, Ph.D.
 - Status Update: DME Appointments and Reappointments Brett Kirkland, Ph.D.
 - District 2 Medical Examiner Vacancy Joshua Stephany, M.D.
 - 2024 Reappointments/Assessments for Districts 1 - 7 Megan Neel
 - 2022 Annual Drugs in Deceased Person Report Megan Neel
 - 2023 Annual Workload Report Megan Neel
 - 2023 Interim Drugs in Deceased Persons Report Megan Neel
 - 2023 Annual Drugs in Deceased Persons Report Megan Neel
 - 2023 Coverdell Status Update Megan Neel
 - MEC Bills of Interest James D. Martin, J.D.
2. 2024 Coverdell Grant Proposals Megan Neel
3. Mass Fatality Plans Barbara Wolf, M.D.
4. Organ Procurement Organization Annual Report Susan Rabel, LifeLink
5. Emerging Drugs Update Brett Kirkland, Ph.D.
6. 2024 FAME Educational Conference Brett Kirkland, Ph.D.
7. Other Business
 - State Child Abuse Death Review Committee MEC Chair
 - s. 406.06 (2), F.S.-Appointment of AMEs Jon Thogmartin, M.D.

The next MEC Meeting will be May 14th at Embassy Suites by Hilton Orlando.

MEDICAL EXAMINERS COMMISSION

Barbara C. Wolf, M.D.
Chairman

District 5/24 Medical Examiner
809 Pine Street
Leesburg, Florida 34748
(352) 326-5961
email: barbara.wolf@marioncountyfl.org
First Term: 8/7/2015-7/1/2019
Second Term: 2/10/2023 - 6/30/2023

Robin Giddens Sheppard, L.F.D.

Funeral Director/Vice President
Hardage-Giddens Funeral Homes
4801 San Jose Boulevard
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(904) 737-7171
email: Robin.Sheppard@dignitymemorial.com
First Term: 8/15/2013-7/1/2016
Second Term: 08/29/2018-07/01/2020
Third Term: 2/10/2023 - 6/30/2024

Mr. Kenneth T. Jones

State Registrar
Florida Department of Health
Bureau of Vital Statistics
Post Office Box 210
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(904) 359-6900 ext. 1001
email: Ken.Jones@flhealth.gov
Term: Not Applicable

Amira Fox, J.D.

State Attorney
20th Judicial Circuit
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First Term: 2/10/2023 - 6/30/2023

Joshua Stephany, M.D.

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(407) 836-9400
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First Term: 2/10/2023 - 6/30/2024

Honorable Charlie Cofer, J.D.

Public Defender, 4th Judicial Circuit
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Second Term: 2/10/2023 - 6/30/2025

Nick Cox, J.D.

Statewide Prosecutor
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Term: Not Applicable

Honorable Michael A. Barnett

Palm Beach County Commissioner
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First Term: 2/10/2023 - 6/30/2025

Honorable Robert "Bob" Johnson

Sheriff
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FLORIDA DISTRICT MEDICAL EXAMINERS

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District 3

Dixie Co.

ME Services Provided by District 3
Lafayette, Madison & Suwannee Co.
ME Services Provided by District 2
Columbia & Hamilton Co.
ME Services Provided by District 4

District 4

B. Robert Pietak, M.D.

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District 24

Barbara C. Wolf, M.D.

ME Services Provided by District 5

District 25 (Home Rule)

Joshua D. Stephany, M.D.

ME Services Provided by District 9

FLORIDA ASSOCIATE MEDICAL EXAMINERS

District 1

Lorraine Lopez-Morell, M.D.
Michael Pagacz, M.D.
(Danielle R. Armstrong, D.O.)
(Wilson A. Broussard, M.D.)
(Thomas M. Coyne, M.D., Ph.D.)
(Jennifer Dierksen, M.D.)
(Lisa Flannagan, M.D.)
(Ami Murphy, D.O.)
(Maneesha Pandey, M.D.)
(Jay M. Radtke, M.D.)

District 2

Lisa M. Flannagan, M.D.
Jan M. Gorniak, D.O.
(Noel R. Agudo, M.D.)
(Thomas M. Coyne, M.D., Ph.D.)
(Susan S. Ignacio, M.D.)
(Kailee Imperatore, M.D.)
(Andrew Koopmeiners, M.D.)
(Wayne D. Kurz, M.D.)
(Rebecca MacDougall, M.D.)
(Noel A. Palma, M.D.)
(Heidi Reinhard, M.D.)
(Darin Treika, M.D.)
(Jason R. Van Roo, M.D.)

District 3

Dixie Co.
ME Services Provided by District 8
Lafayette, Madison, & Suwannee Co.
ME Services Provided by District 2
Columbia & Hamilton Co.
ME Services Provided by District 4

District 4

Robert Buchsbaum, M.D., J.D.
Peter Gillespie, M.D.
Brittany L. Glad, D.O.
Aurelian Nicolaescu, M.D.
Robert R. Pfalzgraf, M.D.
Sandra A. Siller, M.D.
(Noel R. Agudo, M.D.)
(Michael Bell, M.D.)
(Leszek Chrostowski, M.D.)
(William F. Hamilton, M.D.)
(Iana Lesnikova, M.D.)
(Deanna A. Oleske, M.D.)
(Valerie J. Rao, M.D.)
(Barbara C. Wolf, M.D.)

District 5

Tracey S. Corey, M.D.
Wendy A. Lavezzi, M.D.
Shanedelle S. Norford, M.D.
(Noel R. Agudo, M.D.)
(Michael Bell, M.D.)
(Thomas M. Coyne, M.D., Ph.D.)
(James W. Fulcher, M.D.)
(William F. Hamilton, M.D.)
(Susan S. Ignacio, M.D.)
(Kailee Imperatore, M.D.)
(Wayne D. Kurz, M.D.)
(Andrew Koopmeiners, M.D.)
(Rachel A. Lange, M.D.)
(Aurelian Nicolaescu, M.D.)
(Chantel Njiwaji, M.D.)
(Noel A. Palma, M.D.)
(Joshua D. Stephany, M.D.)
(Jon Thogmartin, M.D.)
(Gary L. Utz, M.D.)
(Jason R. Van Roo, M.D.)

District 6

Noel R. Agudo, M.D.
Susan S. Ignacio, M.D.
Kailee Imperatore, M.D.
Wayne D. Kurz, M.D.
Andrew Koopmeiners, M.D.
Noel A. Palma, M.D.
Jason R. Van Roo, M.D.
(Wilson A. Broussard, M.D.)
(Marcela Chiste, M.D.)
(Tracey S. Corey, M.D.)
(Thomas M. Coyne, M.D., Ph.D.)
(Rebecca A. Hamilton, M.D.)
(Tera A. Jones, M.D.)
(Wendy A. Lavezzi, M.D.)
(Rebecca MacDougall, M.D.)
(Stephen J. Nelson, M.D.)
(Shanedelle S. Norford, M.D.)
(Mark J. Shuman, M.D.)
(Phouthasone Thirakul, M.D.)
(Suzanne R. Utley-Bobak, M.D.)
(Russell S. Vega, M.D.)
(Vera V. Volnikh, M.D.)
(Barbara C. Wolf, M.D.)

District 7

Ruth Kohlmeier, M.D.
Mary G. Ripple, M.D.
(Noel R. Agudo, M.D.)
(Marcela Chiste, M.D.)
(Susan S. Ignacio, M.D.)
(Kailee Imperatore, M.D.)
(Wayne D. Kurz, M.D.)
(Rebecca MacDougall, M.D.)
(Shanedelle S. Norford, M.D.)
(Noel A. Palma, M.D.)
(Jon R. Thogmartin, M.D.)
(Lee Tormos, M.D.)

District 8

(Robert Buchsbaum, M.D., J.D.)
(Leszek Chrostowski, M.D.)
(Tracey S. Corey, M.D.)
(Peter Gillespie, M.D.)
(Tera A. Jones, M.D.)
(Wendy A. Lavezzi, M.D.)
(Stephen J. Nelson, M.D.)
(Aurelian Nicolaescu, M.D.)
(Deanna A. Oleske, M.D.)
(Jon R. Thogmartin, M.D.)
(Barbara C. Wolf, M.D.)

District 9

Brooke Blake, M.D.
Joy Edegbe, M.D.
Jesse C. Giles, M.D.
Marie H. Hansen, M.D.
Rachel A. Lange, M.D.
Chantel Njiwaji, M.D.
Sara H. Zydowicz, D.O.
(Cassie Boggs, M.D.)
(Tracy S. Corey, M.D.)
(James Fulcher, M.D.)
(Heather M. Gage, M.D.)
(D. Fintan Garavan, M.D., Ph.D.)
(Julia V. Hegert, M.D.)
(Tera A. Jones, M.D.)
(Wendy Lavezzi, M.D.)
(Shanedelle S. Norford, M.D.)
(Stephen J. Nelson, M.D.)
(Mary G. Ripple, M.D.)
(Sajid S. Qaiser, M.D.)
(Vera V. Volnikh, M.D.)
(Barbara C. Wolf, M.D.)

District 10

D. Fintan Garavan, M.D., Ph.D.
Vera V. Volnikh, M.D.
(Kelly G. Devers, M.D.)
(Susan S. Ignacio, M.D.)
(Wayne D. Kurz, M.D.)
(Wendy Lavezzi, M.D.)
(Ryan D. McCormick, M.D.)
(Daissy C. McEnnan, M.D.)
(Noel A. Palma, M.D.)
(Ashley R. Perkins, D.O.)
(Jon R. Thogmartin, M.D.)
(Milad Webb, M.D.)
(Barbara C. Wolf, M.D.)

District 11

Nicholas Barna, M.D.
Alexander Blank, M.D.
Chelsea Cornell, M.D.
Katherine Kenerson, M.D.
Thomas Koster, M.D.
Benjamin Mathis, M.D.
Yanel De Los Santos, M.D.
Calvin Streeter, M.D.
Tuyet Tran, M.D.
(Michael D. Bell, M.D.)
(Iouri G. Boiko, M.D., Ph.D.)
(Manfred Borges, M.D.)
(Marcela Chiste, M.D.)
(Marta Coburn, M.D.)
(Gertrude M. Juste, M.D.)
(Rebecca MacDougall, M.D.)
(Craig Mallak, M.D.)
(Linda R. O'Neil, M.D.)
(Marlon S. Osbourne, M.D.)
(Stephen Robinson, M.D.)
(Stacey A. Simons, M.D.)
(Terrill Tops, M.D.)
(Lee Marie Tormos, M.D.)

District 12

Wilson A. Broussard, M.D.
Timothy J. Gallagher, M.D.
Phouthasone Thirakul, M.D.
Suzanne R. Utley-Bobak, M.D.
(Leszek Chrostowski, M.D.)
(Laura S. Hair, M.D.)
(William F. Hamilton, M.D.)
(Stephen J. Nelson, M.D.)
(Robert R. Pfalzgraf, M.D.)
(Valerie J. Rao, M.D.)
(Daniel L. Schultz, M.D.)
(Wendolyn Sneed, M.D.)

District 13

Ryan D. McCormick, M.D.
Daissy C. McEnnan, M.D.
Paul F. McGowan, D.O.
Ashley R. Perkins, D.O.
Noah D. Reilly, D.O.
Milad Webb, M.D.
(Leszek Chrostowski, M.D.)
(Thomas M. Coyne, M.D.)
(D. Fintan Garavan, M.D., Ph.D.)
(Mary K. Mainland, M.D.)
(Stephen J. Nelson, M.D.)
(Phouthasone Thirakul, M.D.)
(Vera V. Volnikh, M.D.)
(Sara H. Zydowicz, D.O.)

District 14

(Michael D. Bell, M.D.)
(Phouthasone Thirakul, M.D.)
(Tim J. Gallagher, M.D., M.H.S.A.)
(Katherine L. Kenerson, M.D.)
(Andrea N. Minyard, M.D.)
(Mark J. Shuman, M.D.)

District 15

Natalia Belova, M.D.
Eric A. Eason, M.D.
Marlon S. Osbourne, M.D.
Heidi Reinhard, M.D.
Terrill Tops, M.D.
Lee Marie Tormos, M.D.
Anthony Vinson, DO
(Michael Bell, M.D.)
(Kenneth D. Hutchins, M.D.)
(Alexis Jelinek, M.D.)
(Stacey A. Simons, M.D.)
(Mark J. Shuman, M.D.)
(Michael Steckbauer, M.D.)
(Jon Thogmartin, M.D.)

District 16

(Iouri G. Boiko, M.D. Ph.D.)
(Marlon S. Osbourne, M.D.)
(Mark J. Shuman, M.D.)

District 17

Omar Ansari, M.D.
Abigail Alexander, M.D.
Iouri G. Boiko, M.D., Ph.D.
Marcela Chiste, M.D.
Erin Ely, M.D.
Alexis Jelinek, M.D.
Gertrude M. Juste, M.D.
Stephen Robinson, M.D.
(Darin Treika, M.D., Ph.D.)
(Joseph M. Curran, M.D.)
(Kenneth Hutchins, M.D.)
(Katherine L. Kenerson, M.D.)
(Emma O. Lew, M.D.)
(Benjamin Mathis, M.D.)
(Wendolyn Sneed, M.D.)

District 18

Matrina J. Schmidt, M.D.
(Patricia A. Aronica, M.D.)
(Raman Baldizhar, M.D.)
(Barbara Bollinger, M.D.)
(Thomas M. Coyne, M.D.)
(Adrienne Sauder, M.D.)

District 19

Raman Baldizhar, M.D.
Barbara Bollinger, M.D.
Adrienne Sauder, M.D.
(Michael D. Bell, M.D.)
(Joseph M. Curran, M.D.)
(Marie H. Hansen, M.D.)
(Gertrude M. Juste, M.D.)
(Wendy A. Lavezzi, M.D.)
(Rebecca M. MacDougall, M.D.)
(Stephen J. Nelson, M.D.)
(Joshua D. Stephany, M.D.)
(Sajid S. Qaiser, M.D.)
(Mark J. Shuman, M.D.)
(Vera V. Volnikh, M.D.)
(Barbara C. Wolf, M.D.)
(Sara H. Zydowicz, D.O.)

District 20

Manfred Borges, Jr., M.D.
Andrea N. Minyard, M.D.
(Michael D. Bell, M.D.)
(Rebecca A. Hamilton, M.D.)
(Emma O. Lew, M.D.)

District 21

Colin D. Appleford, D.O.
Noelia Alemn Hernandez, M.D.
Tracy L. Shipe, D.O.
Sarah C. Thomas, M.D.
(Michael D. Bell, M.D.)
(Manfred C. Borges, M.D.)
(Wilson A. Broussard, Jr., M.D.)
(Leszek Chrostowski, M.D.)
(Marta U. Coburn, M. D.)
(Riazul H. Imami, M.D., Ph.D.)
(Katherine L. Kenerson, M.D.)
(Rachel A. Lange, M.D.)
(Stephen J. Nelson, M.D.)
(Valerie J. Rao, M.D.)
(Mark J. Shuman, M.D.)
(Phouthasone Thirakul, M.D.)
(Vera V. Volnikh, M.D.)

District 22

Leszek Chrostowski, M.D.
Timothy J. Gallagher, M.D.
Valerie J. Rao, M.D.
(Wilson A. Broussard, Jr., M.D.)
(Phouthasone Thirakul, M.D.)
(Suzanne R. Utley-Bobak, M.D.)

District 23

Iana Lesnikova, M.D.
(James W. Fulcher, M.D.)

District 24

ME Services Provided by District 5

District 25

ME Services Provided by District 9

Coverage Map

Florida Medical Examiner Districts

District 1

Escambia
Okaloosa
Santa Rosa
Walton

District 2

Franklin
Gadsden
Jefferson
Leon
Liberty
Taylor
Wakulla

District 3 *Covered by

Columbia *4
Dixie *8
Hamilton *4
Lafayette *2
Madison *2
Suwannee *2

District 4

Clay
Duval
Nassau

District 5

Citrus
Hernando
Lake
Marion
Sumter

District 6

Pasco
Pinellas

District 7

Volusia

District 8

Alachua
Baker
Bradford
Gilchrist
Levy
Union

District 9

Orange

District 10

Hardee
Highlands
Polk

District 11

Miami-Dade

District 12

DeSoto
Manatee
Sarasota

District 13

Hillsborough

District 14

Bay
Calhoun
Gulf
Holmes
Jackson
Washington

District 15

Palm Beach

District 16

Monroe

District 17

Broward

District 18

Brevard

District 19

Indian River
Martin
Okeechobee
St. Lucie

District 20

Collier

District 21

Glades
Hendry
Lee

District 22

Charlotte

District 23

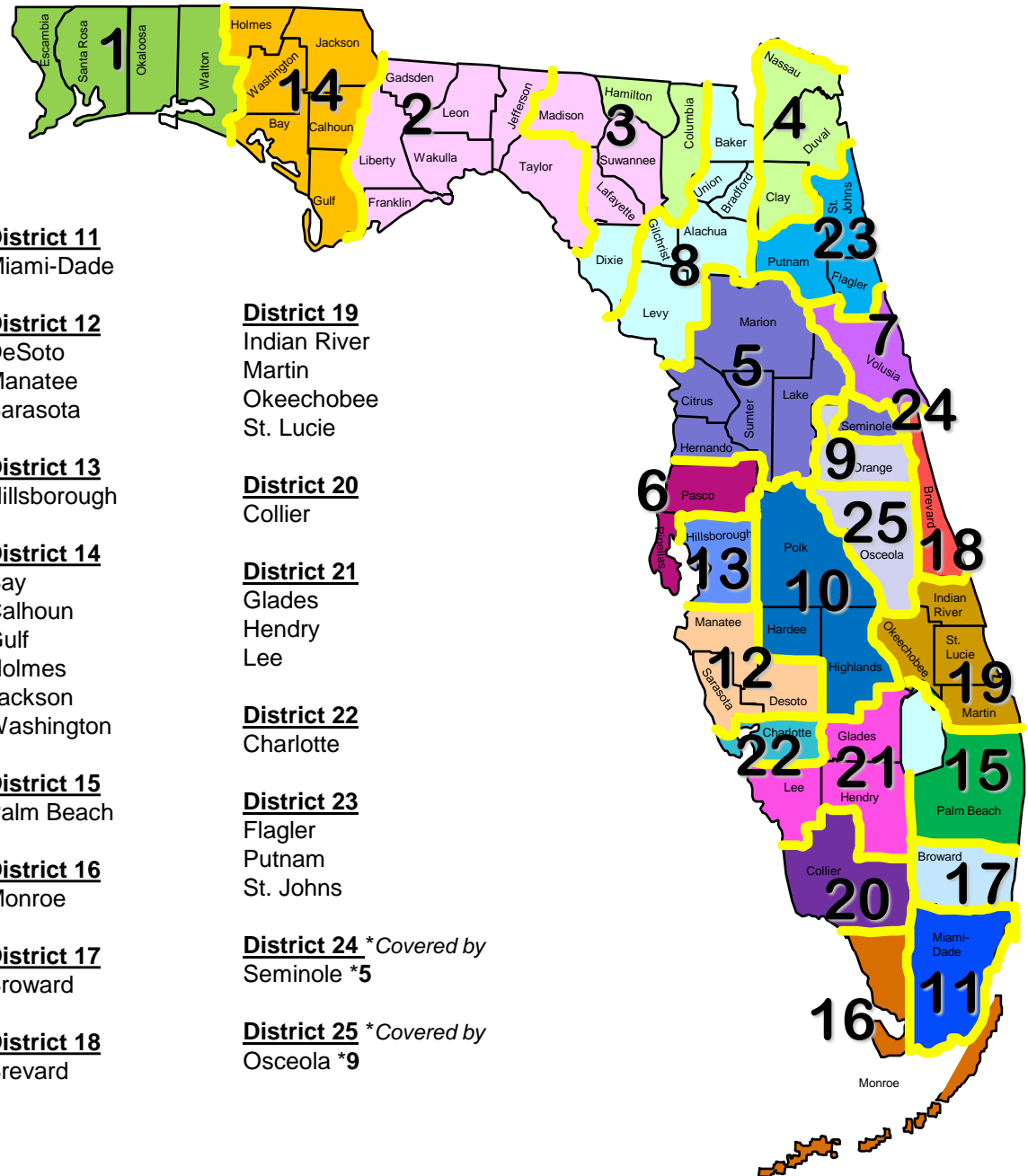
Flagler
Putnam
St. Johns

District 24 *Covered by

Seminole *5

District 25 *Covered by

Osceola *9



MEDICAL EXAMINERS COMMISSION MEETING
Embassy Suites by Hilton Orlando Lake Buena Vista South
4955 Kyngs Heath Road
Kissimmee, Florida 34746
October 31, 2023 10:00 AM EDT

Commission Chairman Barbara C. Wolf, M.D., called the meeting of the Medical Examiners Commission to order at **10:01 AM**. She advised those in the audience that the meetings of the Medical Examiners Commission are open to the public and that members of the public will be allowed five minutes to speak. She then welcomed everyone to the meeting and asked Commission members, staff, and audience members to introduce themselves.

Commission members present:

Barbara C. Wolf, M.D., Districts 5 & 24 Medical Examiner
Nick Cox, J.D., Statewide Prosecutor, Office of the Attorney General
Robin Giddens Sheppard, L.F.D., Funeral Director
Kenneth T. Jones, State Registrar, Department of Health
Hon. Charlie Cofer, J.D., Public Defender, 4th Judicial Circuit
Joshua Stephany, M.D., Districts 9 & 25 Medical Examiner
Hon. Amira Fox, J.D., State Attorney, 20th Judicial Circuit
Hon. Robert "Bob" Johnson, Santa Rosa County Sheriff

Commission staff present:

| | |
|-----------------------|-----------------|
| Brett Kirkland, Ph.D. | Megan Neel |
| Jim Martin, J.D. | Ashley Williams |

District Medical Examiners present:

| | |
|---|-------------------------------------|
| Jon R. Thogmartin, M.D. (Districts 2 & 6) | Sajid S. Qaiser, M.D. (District 18) |
| Russell S. Vega, M.D. (Districts 12 & 22) | |
| James Fulcher, M.D. (District 7) | |

Other District personnel present:

| | |
|-------------------------------|------------------------------|
| Sheri Blanton (District 9/25) | Dan Schebler (District 1) |
| Karla Orozco (District 7) | Ricardo Camacho (District 8) |
| Lindsey Bayer (District 5/24) | |
| Madison Worley (District 7) | |

Guests present:

| | |
|--------------------------|--------------------------|
| Brittany Hill (Lifeline) | Sherry Groover (Citizen) |
| Chad Brown (FDLE) | |

A MOTION WAS MADE, SECONDED, AND PASSED UNANIMOUSLY FOR THE COMMISSION TO APPROVE THE AGENDA.

A MOTION WAS MADE, SECONDED, AND PASSED UNANIMOUSLY FOR THE COMMISSION TO APPROVE THE MINUTES OF THE JULY 19, 2023 MEDICAL EXAMINERS COMMISSION MEETING.

ISSUE NUMBER 1: INFORMATIONAL ITEMS

- Status Report: MEC Appointments and Reappointments: Barbara C. Wolf, M.D. and Amira Fox, J.D. were nominated and unanimously recommended for reappointment for the Medical Examiners Commission for cycle ending in June 2026. (Barbara C. Wolf, M.D. and Amira Fox, J.D. abstained from voting.)

- **Status Report: DME Appointment Ratifications:** Bureau Chief Brett Kirkland, Ph.D., informed the Commission that a letter was sent to the Governor's Appointment Office confirming the ratifications of all appointments and reappointments of District Medical Examiners by the Commission. Mr. Kirkland also confirmed that the letter recommending gubernatorial appointment of Russell Vega, M.D., as the District 22 Medical Examiner was sent to the Governor's Appointment Office. We are still currently awaiting appointments from the Governor's Appointment Office.
- **District 2 Medical Examiner Vacancy:** Joshua Stephany, M.D., informed the Commission that the District 2 search committee will be interviewing 2 candidates on November 17, 2023.
- **2023 Interim Drug Report:** Mrs. Megan Neel informed the Commission that drug data is due to her by November 30, 2023 and if this was going to be a problem to let her know.
- **2022 Annual Drug Report:** Mrs. Neel informed the Commission that she was still waiting on a couple of districts to return data but otherwise hoping to have it published by the end of November.
- **2022 Annual Workload Report:** Mrs. Megan Neel advised that the report was posted and sent out on October 18, 2023.
- **2022 Paul Coverdell Forensic Science Improvement Grant Program Status Update:** Mrs. Ashley Williams informed the Commission that we are still missing MOU's from District 16/18 so please get those in. Also, please continue to send in reimbursement requests.
- **2023 Paul Coverdell Forensic Science Improvement Grant Program Status Update:** Mrs. Ashley Williams informed the Commission that funds still have not been released so please do not purchase anything until you hear from her or the grants manager.

ISSUE NUMBER 4: UNIDENTIFIED DECEASED INITIATIVE

Mrs. Williams reported the following success stories from District 1 and 7.

District 1

- The District 1 Medical Examiner's Office with the aid of Othram, Inc., has identified human remains found by a road crew in Okaloosa County on September 14, 1994, as Suzanne L. Kjellenberg. On September 15, 1994, the District 1 Medical Examiner's Office received the skeletonized remains of a female found near I-10. During the initial investigation, the remains were sent to the C.A. Pound Human Identification Laboratory in Gainesville by Dr. Kielman. An osteological examination showed the remains to be that of a white female aged approximately 35 to 55 years. Samples were sent for entomological examination for estimation of time since death. A clay facial reconstruction did not generate any leads. Serial killer Keith Jespersen later admitted to killing a woman and disposing of her remains in the area, stating she called herself Suzanne. In 2007, a forensic artist completed a new facial reconstruction in hopes of identifying the victim. In 2008, the remains were sent for additional anthropological examination at the University of West Florida. Specimens were sent to the FBI Laboratory for DNA analysis and entry into the National Missing Person DNA Database. Mitochondrial DNA was also analyzed and entered into CODIS. In 2018, specimens were sent for isotope analysis at the University of Florida. In late 2022, the District 1 Medical Examiner's Office began working with Othram, a company that uses genetic genealogy to aid in identification. Othram, Inc., based in The Woodlands, Texas, is a leader in using Forensic-Grade Genome Sequencing to develop comprehensive genealogical profiles. Earlier this year, the District 1 Medical Examiner's Office sent samples to Othram, Inc. and, with funding through the National Missing and Unidentified Persons System (NamUs), a genealogical profile produced

leads that led to Kjellenberg's identification.

- In December of 2019 skeletal remains were discovered in Pensacola, Florida. The remains were discovered by an individual living in a storage facility adjacent to the drainage culvert where the decedent was located. Law enforcement had advised that there was a known transient camp nearby. In January 2019 the remains were transferred for analysis to Dr. Winburn, Forensic Anthropologist with the University of West Florida and the District 1 Medical Examiner's Office D1MEO released a left rib to the Escambia County Sheriff's Office (ECSO) to submit to the Florida Department of Law Enforcement (FDLE) for DNA analysis. The District One Medical Examiner's Office contacted ECSO in October 2020, discovering that the rib bone had not yet been submitted to FDLE; after formal request from the District 1 Medical Examiner's Office, the rib bone was immediately sent by ECSO to FDLE. Unfortunately, FDLE was not conducting testing of mitochondrial DNA at this time and the District 1 Medical Examiner's Office was referred to the University of North Texas Center for Human Identification. In April 2021, the District 1 Medical Examiner's Office was advised that UNT was no longer accepting new cases. In March 2023, a NamUs database search of local missing persons from the area was conducted and compared to all District 1 Medical Examiner's Office unidentified cases. A potential match was identified. The "believed to be" (antemortem) radiographs (x-rays) and the postmortem radiographs of the unidentified skeletal remains were compared and reviewed by Dr. Oleske, Interim District Medical Examiner. Following additional consultation with Dr. Winburn, it was determined this case was a good candidate for identification using the Rapid DNA ANDE identification system recently brought into service by the District 1 Medical Examiner's Office. Familial DNA comparison was made using a buccal swab submitted by the missing person's family and the unidentified skeletal remains. The results confirmed the familial relationship with 99.99% certainty, and skeletal features support that the identification of the remains as that of Amber Guzman. The District 1 Medical Examiner's Office, after so many fruitless efforts, was able to provide long-awaited closure to the decedent's family.

District 7

- On April 23, 1990, the District 7 medical examiner responded to a wooded area east of Clyde Morris Blvd., in Ormond Beach, Florida, where a decedent's lower appendicular skeleton was located by a passerby. The medical examiner and the Volusia Sheriff's Office (VSO) conducted a search of the area. They were able to locate the upper portion of the decedent's skeleton 20 feet south of the first set of remains, and the skull and mandible were located 30 feet south of the first set of remains. The decedent was found with rope wrapped around the wrists and cervical vertebrae. The death was ruled a homicide. On April 26, 1990, a Forensic Odontology examination was completed and determined that the decedent was likely a female between 20-30 years old. In April of 1990, the remains were sent out for anthropologic examination, and the report was received on June 17th of, 1990. The report concluded the decedent was a female aged 25 to 40 years old, and she was approximately 64 inches tall. On November 26, 2008, samples were sent to the New Jersey State Police Office of Forensic Science and the Minnesota Department of Public Safety Forensic lab, where they were able to extract an mtDNA profile and develop a nuclear DNA profile, respectively. On July 22, 2016, the remains were sent to the University of South Florida for Chemical and Elemental Isotopic Analysis. In June of 2023, the report was received indicating that the decedent was born in the United States and likely spent the first part of her life in the southeastern United States. In June of 2023, a petrous bone was sent to Othram Inc. for Forensic Genealogy testing. The lab was able to develop a genealogic profile and identify possible relatives of the decedent. The Volusia Sheriff's Office approached the potential relatives and were able to gather DNA samples for comparison. Those comparisons resulted in the positive identification of the decedent as Roberta Weber on September 28, 2023.

ISSUE NUMBER 5: EMERGING DRUGS

- Bureau Chief Brett Kirkland, Ph.D. provided the Commission with an update on current drug trends on behalf of Bruce Goldberger, Ph.D. Illicitly manufactured fentanyl continues to be frequently identified in decedents. Polysubstance use with fentanyl is common and includes cocaine and/or methamphetamine along with other substances associated with ingestion such as xylazine. Alpha-PiHP, a cathinone, has become prevalent in Broward County. There was also an increasing prevalence of N,N-Dimethylpentylone in decedents as well as reports of the designer benzodiazepine, flualprazolam, in decedents in the Gainesville area. Furthermore, Dr. Kirkland informed the Commission that the toxicology laboratory directors meeting has expanded to include directors from DUI labs, the Poison Control Center of Jacksonville, and representatives from the Department of Health. Directors and representatives last met on Monday, September 18, 2023, and continue to provide valuable information on emerging drug trends.

ISSUE NUMBER 6: OTHER BUSINESS

- Dr. Wolf read into record a signed resolution for former Deputy Director Victoria Koenig.

WHEREAS, the Medical Examiners Commission was created in 1970 by the passage of Chapter 406, Part I, Florida Statutes, also known as the Medical Examiners Act; and,

WHEREAS, this Commission plays a vital role in support of Florida's criminal justice system, to the families of the deceased in determining the cause and manner of death of their loved ones whose deaths come under the jurisdiction of the medical examiner, and by contributing to the protection of the public health of the citizens of Florida; and,

WHEREAS, the staff which serves the Medical Examiners Commission is housed within and supported by the Florida Department of Law Enforcement; and,

WHEREAS, Mrs. Victoria Koenig has served the citizens of Florida since 1992, and joined the staff of the Medical Examiners Commission in 2001; and,

WHEREAS, Deputy Director Koenig's dedication to the Medical Examiners Commission has contributed greatly to the policies and rules that govern the medical examiners of this State, and

WHEREAS, Deputy Director Koenig's insightful and thorough oversight of investigations has served to maintain the quality and integrity of the Florida medical examiner system and,

WHEREAS, Deputy Director Koenig has not only earned the reputation as being an invaluable resource for the Medical Examiners Commission, but she has, above all, earned the reputation as being considerate, intelligent, and meticulous,

NOW THEREFORE, let it be resolved that this Commission on behalf of Florida's medical examiners, the medical-legal community, and all of the citizens of Florida whom she has served so well, does hereby recognize and commend Deputy Director, Mrs. Victoria Koenig for the dedication and valuable service she has offered to the Florida medical examiners system and hopes that she maintains her success in future endeavors.

PASSED AND RECORDED, in the official minutes of the Medical Examiners Commission meeting on this Tuesday, the 31st day of October, 2023, in Kissimmee, Osceola County, Florida.

- Chairman Barbara C. Wolf, M.D., provided the Commission an update on the Conrad 30 program. A letter was sent to the State Surgeon General Joseph Ladapo, M.D., Ph.D. requesting that forensic

pathologists be given top priority when determining sponsorship priorities for applications to the Conrad 30 program. A response was received from the Primary Care Office Director Jeffrey C. Johnson of the Department of Health, advising that the Department of Health will support Medical Examiners in districts that apply that are wanting to apply for the Conrad 30 program. Director Johnson also provided additional information in regards to another J-1 Visa program, the Southeast Crescent Regional Commission and stated that the program could provide the most effective and immediate opportunity to address the vacancies across the medical examiner district network.

- 2024 FAME Educational Conference: Bureau Chief Brett Kirkland, Ph.D. announced that FAME will be celebrating its 50th year at the 2024 FAME Educational Conference. Mr. Kirkland reported that it is scheduled to be held July 17-19, 2024 at the Westin Sarasota in Sarasota, Florida. The event will be hosted by the District 22 Medical Examiner Dr. Russell Vega.

With no further business to come before the Commission, the meeting was adjourned at 10:36 A.M.

2024 Paul Coverdell Grant Summary

| | |
|--|-------------|
| Total Amount Requested by Districts (13) | \$65,516.93 |
| Total Allotment for Medical Examiners | TBD |

**2024 Paul Coverdell Grant
Requested Expenditure List
District One Medical Examiner Office**

Category: Equipment

The District One Medical Examiner Office requests funds to purchase a modular slide storage cabinet to store standard microscope slides. Four 6-drawer cabinets with a base and the wheeled base dolly will reduce the overall storage space required, provide better organization and security of our slides. The District One Medical Examiner Office requests funds to purchase two new upgraded mirrorless camera bodies and lenses for the morgue to improve quality and replace aging photographic equipment. The District One Medical Examiner Office currently operates in a hospital morgue that is not equipped with a fume hood; the mobile ductless fume hood will protect both the user and the morgue environment from hazardous vapors. The current computer in use in the morgue is approaching the end of useful life, a new updated all-in-one computer will save space and ensure efficient operation. Finally, additional test chips for the ANDE Rapid DNA machine are requested to continue to provide rapid identification for cases where all other means of identification have been exhausted.

| Quantity | Item | Cost |
|-----------------|---|-------------|
| 4 | Modular Slide Storage Cabinet (6 drawers) (\$160.44 each) | \$641.76 |
| 1 | Slide Storage Cabinet Base | \$79.26 |
| 1 | Slide Storage Wheeled Base Dolly | \$271.95 |
| 2 | Nikon Z50 Mirrorless Camera (\$856.95 each) | \$1,713.90 |
| 2 | Nikon NIKKOR Z DX 18-140mm f/3.5-6.3 VR Lens (\$636.95 each) | \$1,273.90 |
| 1 | 40in EDU-MOBILE Ductless Fume Hood | \$4,444.00 |
| 1 | New Dell All-in-One Desktop Computer (morgue) | \$1,609.99 |
| 10 | ANDE Chips (mix of A and I) and ANDE Smart swabs (\$1,259 each chip/swab) | \$12,590.00 |

Total Request Amount: \$22,624.76

Staff Recommendation:

Total Proposed Amount: \$TBD

**2024 Paul Coverdell Grant
Requested Expenditure List
District Two Medical Examiner Office**

Category: Equipment/Supplies

The District Two Medical Examiner Office requests funds to purchase a new dry vac to clean up in the receiving bay and the morgue. The District Two Medical Examiner Office requests funds to purchase a disposable glove and facial tissue wire rack to free up work space for staff and doctors by moving the gloves off of the workstation surfaces. The District Two Medical Examiner Office requests funds to purchase a new eye speculum ophthalmic instrument, due to the pair they have being on the verge of breaking. The District Two Medical Examiner Office requests funds to purchase a tool set needed for switching out the saw blades and other small tasks throughout the morgue. The District Two Medical Examiner Office requests funds to purchase rain boot shoe covers with reflectors. The District Two Medical Examiner Office requests funds to purchase autopsy saw replacement blades to keep stock on hand and cut down on extensive orders with shipping fees. The District Two Medical Examiner Office requests funds to purchase new surgical blade handles to replace old ones that are becoming loose. Finally, the District Two Medical Examiner Office requests funds to purchase a dissecting knife as an upgrade from the current one that have that blades are no longer available for.

| Quantity | Item | Cost |
|----------|--|----------|
| 1 | DEWALT DXV06P 6 gallon Poly Wet/Dry Vac, Yellow | \$99.99 |
| 6 | PERFORMORE Large Disposable Glove and Facial Tissue Wire Rack- Box Holder, Holds Up to 3 Boxes, Dispenser, Wall Mount Design with Mounting Accessories Included (\$26.99 each) | \$161.94 |
| 4 | AAProTools Lancaster Eye Speculum Ophthalmic Instruments (\$8.99 each) | \$35.96 |
| 1 | KingTool 325 Piece Home Repair Tool Kit | \$87.97 |
| 32 | USHTH Black Waterproof Rain Boot Shoe Cover with reflector (\$16.99 each) Medium = 8, Large = 8, X-Large = 8, XX-Large = 8 | \$543.68 |
| 30 | Autopsy Saw Blades (\$28.50 each plus shipping) | \$870.00 |
| 1 | Surgical Blade Handles (Set of 5) | \$250.00 |
| 1 | Long Specimen Dissecting Knife (Set of 1) | \$439.98 |

Total Request Amount: \$2,489.52

Staff Recommendation:

Total Proposed Amount: \$TBD

**2024 Paul Coverdell Grant
Requested Expenditure List
District Five and Twenty-Four Medical Examiner Office**

Category: Equipment

The District Five and Twenty-Four Medical Examiner Office requests funds to purchase a slide scanner to digitize the slides and an external hard drive to store the images. Due to the retention schedule they have large binders of 2x2 photo slides that take up a significant amount of room in the records department. The District Five and Twenty-Four Medical Examiner Office is also requesting funds to purchase a new mortuary cot. In 2023, the District Five and Twenty-Four Medical Examiner Office transported 1,776 decedents to the facility for a post mortem examination. Some of the mortuary cots are over 15 years old and in need of replacement due to wear and tear.

| Quantity | Item | Cost |
|----------|--|------------|
| 1 | Pacific Image Power Slide Plus Scanner | \$1,699.00 |
| 1 | Model F1200 Multi-Level Bariatric Oversized Mortuary Stretcher Cot | \$1,145.00 |
| 1 | Seagate Portable 5TB External Hard Drive HDD | \$119.99 |

Total Request Amount: \$2,963.99

Staff Recommendation:

Total Proposed Amount: \$TBD

**2024 Paul Coverdell Grant
Requested Expenditure List
District Six Medical Examiner Office**

Category: Equipment

The District Six Medical Examiner Office requests funds to purchase a new autopsy bone saw and digital camera to be used during death scene investigations, decedent processing and autopsy to fulfill their requirements under Florida State Statute Chapter 406 and Florida Administrative Code 11-G. The equipment is essential in being able to perform their statutory duties, and to provide a high level of quality services to the citizens and agencies in the district that the office serves.

| Quantity | Item | Cost |
|-----------------|---------------------------|-------------|
| 1 | Autopsy Bone Saw | \$1,742.00 |
| 1 | Digital SLR Camera | \$696.95 |
| 1 | Additional Camera Battery | \$56.99 |
| 1 | Nikon Macro Camera Lens | \$646.95 |

Total Request Amount: \$3,142.89

Staff Recommendation:

Total Proposed Amount: \$TBD

**2024 Paul Coverdell Grant
Requested Expenditure List
District Seven Medical Examiner Office**

Category: Equipment

The District Seven Medical Examiner Office requests funds for the purchase of Nikon DSLR cameras. Taking quality scene and autopsy photos is a vital function of the medical examiner. Having the cameras listed below will aid in fulfilling the function. The routine wear and tear of these cameras in the field and in the morgue necessitates the replacement of such equipment.

| Quantity | Item | Cost |
|-----------------|--|-------------|
| 4 | Nikon DSLR Camera with 18-140mm Lens (\$1,196.95 each) | \$4,787.80 |

Total Request Amount: \$4,787.80

Staff Recommendation:

Total Proposed Amount: \$TBD

**2024 Paul Coverdell Grant
Requested Expenditure List
District Ten Medical Examiner Office**

Category: Consultants/Contracts

The District Ten Medical Examiner Office requests funds for anthropology services. This consultant is needed to aid in the identification of unknown decedents and assist in determining cause and manner of death. Without these services, medical examiner cases would stagnate and not move forward. These services will improve the timeliness and eliminate backlog of medical examiner cases.

| Quantity | Item | Cost |
|----------|-----------------------|------------|
| 1 | Anthropology Services | \$3,000.00 |

Total Request Amount: \$3,000.00

Staff Recommendation:

Total Proposed Amount: \$TBD

**2024 Paul Coverdell Grant
Requested Expenditure List
District Eleven Medical Examiner Office**

Category: Equipment

The District Eleven Medical Examiner Office requests funds for new computer workstations. These computers will replace others that are more than 5 years old and not under warranty. Newer applications require more computing capacity and RAM memory than our older computers can provide. These computers will definitely expedite the process and allow us to share information in a timely manner

| Quantity | Item | Cost |
|-----------------|--|-------------|
| 3 | Hewlett Packard Tower Workstation Computer (\$1,384.00 each) | \$4,152.00 |

Total Request Amount: \$4,152.00

Staff Recommendation:

Total Proposed Amount: \$TBD

**2024 Paul Coverdell Grant
Requested Expenditure List
District Twelve Medical Examiner Office**

Category: Equipment

The District Twelve Medical Examiner Office requests funds to purchase new computer equipment that would facilitate and increase concurrent analytical and data analysis with their newly purchased case management database; and/or upgrade software operating systems that would interface more efficiently with new hardware technology of their current case management database, thus providing better service to the public; and/or apply funds towards their new computer database's CME Software Annual Maintenance fee.

| Quantity | Item | Cost |
|-----------------|-----------------------------|-------------|
| 1 | Computer Equipment/Software | \$8,000.00 |

Total Request Amount: \$8,000.00

Staff Recommendation:

Total Proposed Amount: \$TBD

**2024 Paul Coverdell Grant
Requested Expenditure List
District Thirteen Medical Examiner Office**

Category: Supplies

The District Thirteen Medical Examiner Office requests funds to purchase updated uniforms and lab coats for the Medical Examiner Staff. The investigators have scene response attire, morgue team wear scrubs during the course of their shift, and the pathologist/tox staff have laboratory jackets that they wear.

| Quantity | Item | Cost |
|-----------------|---|-------------|
| 5 | Male Truspec BDU Pant 28-44 (Black) (\$34.75 each) | \$173.75 |
| 5 | Male Truspec BDU Pant 46-54 (Black) (\$37.40 each) | \$187.00 |
| 5 | Male Truspec BDU Pant 28-44 (Khaki) (\$34.75 each) | \$173.75 |
| 5 | Male Truspec BDU Pant 46-54 (Khaki) (\$37.40 each) | \$187.00 |
| 5 | Female Truspec BDU Pant 2-24 (Black) (\$34.75 each) | \$173.75 |
| 5 | Female Truspec BDU Pant 2-24 (Khaki) (\$34.75 each) | \$173.75 |
| 5 | Male Shield Polo Sm-XL (\$23.90 each) | \$119.50 |
| 5 | Male Shield Polo 2X-5X (\$25.90 each) | \$129.50 |
| 5 | Female Shield Polo Sm-XL (\$24.75 each) | \$123.75 |
| 5 | Female Shield Polo 2X-5X (\$26.75 each) | \$133.75 |
| 5 | Shield Windbreaker – Black (Sm-XL) (\$45.80 each) | \$229.00 |
| 5 | Shield Windbreaker – Black (2X-5X) (\$54.90 each) | \$274.50 |
| 5 | Hanes Beefy T-Shirt – Black (Sm-XL) (\$9.95 each) | \$49.75 |
| 5 | Hanes Beefy T-Shirt – Black (2X-5X) (\$11.95 each) | \$59.75 |

Total Request Amount: \$2,188.50

Staff Recommendation:

Total Proposed Amount: \$TBD

**2024 Paul Coverdell Grant
Requested Expenditure List
District Fifteen Medical Examiner Office**

Category: Equipment

The District Fifteen Medical Examiner Office requests funds to purchase a new Low Body Shield, which is utilized to prevent public viewing of deceased individuals at death scenes under investigation. This allows the investigators and associated law enforcement personnel to respectfully protect the integrity of death scenes and prevent compromises in case leads, while deterring public/social exposure to families. The District Fifteen Medical Examiner Office requests funds to purchase a new Nikon D7500 DSLR Camera, which will be used by our Investigators in documenting death scenes. This documentation is used by our office in determining cause and manner of death, along with providing a permanent record as part of the case investigation. These photographs are used for any future investigation that may be necessary and in the criminal and civil court matters that may arise.

| Quantity | Item | Cost |
|-----------------|-------------------------|-------------|
| 1 | Low Body Shield | \$1,460.04 |
| 1 | Nikon D7500 DSLR Camera | \$1,496.95 |

Total Request Amount: \$2,956.99

Staff Recommendation:

Total Proposed Amount: \$TBD

**2024 Paul Coverdell Grant
Requested Expenditure List
District Nineteen Medical Examiner Office**

Category: Equipment

The District Nineteen Medical Examiner Office requests funds to purchase new computers and external hard drives. Due to the increase in investigative staff this would allow the investigators to work outside of the office while responding to scenes and outside of normal business hours when they are on call. These hard drives are used to back up all autopsy photos and digital x-ray images. With additional hard drives, they would be able to backup all scene photographs taken by the investigators conducting scene investigations.

| Quantity | Item | Cost |
|-----------------|---|-------------|
| 2 | Dell Latitude Laptop Computer (\$1,460.00 each) | \$2,290.00 |
| 2 | Seagate External Hard Drive (\$64.59 each) | \$129.18 |

Total Request Amount: \$3,049.18

Staff Recommendation:

Total Proposed Amount: \$TBD

**2024 Paul Coverdell Grant
Requested Expenditure List
District Twenty-One Medical Examiner Office**

Category: Equipment

The District Twenty-One Medical Examiner Office requests funds to purchase a new autopsy saw. Autopsy saws are essential in performing autopsies. With the increased load caseload of the District Twenty-One Medical Examiner Office, this additional saw is critical, especially in the event an autopsy saw breaks down.

| Quantity | Item | Cost |
|-----------------|-----------------------------|-------------|
| 1 | Mopec Swordfish Autopsy Saw | \$3,199.95 |
| 1 | Estimated Shipping | \$20.50 |

Total Request Amount: \$3,220.45

Staff Recommendation:

Total Proposed Amount: \$TBD

**2024 Paul Coverdell Grant
Requested Expenditure List
District Twenty-Three Medical Examiner Office**

Category: Equipment

The District Twenty-Three Medical Examiner Office requests funds to purchase new cameras and a lens to be used while conducting scene investigations and autopsies. The District Twenty-Three Medical Examiner Office currently employs 4 investigators and 3 technicians whose obligations require documenting the scene and autopsies via photographs pursuant to Chapter 406 and Florida Administrative Code 11-G. In 2023, staff responded to 313 death scenes and examined 456 decedent bodies. Obtaining this grant will allow appropriate recording of findings.

| Quantity | Item | Cost |
|-----------------|---|-------------|
| 2 | Nikon Z5 Mirrorless Camera (\$996.95 each) | \$1,993.90 |
| 1 | Nikon NIKKOR Z MC 105mm f/2.8 VR S Macro Lens | \$946.95 |

Total Request Amount: \$2,940.85

Staff Recommendation:

Total Proposed Amount: \$TBD

From: [Barbara C Wolf](#)
To: [Kirkland, Brett](#); [Neel, Megan](#)
Subject: Fw: Florida State Child Death Review Committee
Date: Tuesday, February 6, 2024 1:56:57 PM

CAUTION: This email originated outside of FDLE. Please use caution when opening attachments, clicking links, or responding to this email.

Should we add this as an informational item to the agenda?

Barb

*Barbara C. Wolf, M.D.
Districts 5 & 24 Medical Examiner's Office
Chair, Inspection & Accreditation Committee
National Association of Medical Examiners*

----- Forwarded Message -----

From: Barbara C Wolf <barbaracwolf@aol.com>
To: Joshua G. Thomas <joshua.thomas@flhealth.gov>
Sent: Tuesday, February 6, 2024 at 01:55:48 PM EST
Subject: Florida State Child Death Review Committee

It is my pleasure to reappoint Dr. Thomas Coyne to the Committee.

Please note my correct contact information below.

Barbara C. Wolf, M.D.
809 Pine Street
Leesburg, FL 34748

Barbaracwolf@aol.com

Thank you,

Barbara

*Barbara C. Wolf, M.D.
Districts 5 & 24 Medical Examiner's Office
Chair, Inspection & Accreditation Committee
National Association of Medical Examiners*

The Florida Senate

2023 Florida Statutes (including 2023C)

Title XXIX

PUBLIC HEALTH

Chapter 406

MEDICAL EXAMINERS; DISPOSITION OF HUMAN REMAINS

CHAPTER 406

MEDICAL EXAMINERS; DISPOSITION OF HUMAN REMAINS

PART I

MEDICAL EXAMINERS

(ss. 406.01-406.17)

PART II

DISPOSITION OF HUMAN REMAINS

(ss. 406.49-406.61)

PART I

MEDICAL EXAMINERS

- 406.01 Short title.
- 406.02 Medical Examiners Commission; membership; terms; duties; staff.
- 406.03 Organization and meetings of commission.
- 406.04 Rules.
- 406.05 Medical examiner districts.
- 406.06 District medical examiners; associates; suspension of medical examiners.
- 406.075 Grounds for discipline; disciplinary proceedings.
- 406.08 Payment of fees, salaries, and expenses; transportation costs; facilities.
- 406.09 Expert witness fees.
- 406.11 Examinations, investigations, and autopsies.
- 406.12 Duty to report; prohibited acts.
- 406.13 Examiner's report; maintenance of records.
- 406.135 Autopsies; confidentiality of photographs and video and audio recordings; confidentiality of reports of minor victims of domestic violence; exemption.
- 406.14 Duty of law enforcement officers.
- 406.145 Unidentified persons; reporting requirements.
- 406.15 Designation of substitute in absence of official examiner.
- 406.16 Professional liability insurance.
- 406.17 Application and construction.

406.01 Short title.— This chapter shall be known as the “Medical Examiners Act.”

History.—s. 1, ch. 70-232.

406.02 Medical Examiners Commission; membership; terms; duties; staff.—

(1) There is created the Medical Examiners Commission within the Department of Law Enforcement. The commission shall consist of nine persons appointed or selected as follows:

(a) The Governor shall appoint:

1. Two members who are physicians licensed pursuant to chapter 458 or chapter 459 and who are active district medical examiners;
2. One member who is a funeral director licensed pursuant to chapter 497;

3. One member who is a state attorney;
 4. One member who is a public defender;
 5. One member who is a sheriff; and
 6. One member who is a county commissioner.
- (b) One member shall be the Attorney General or her or his designated representative.
 - (c) One member shall be the State Surgeon General or her or his designated representative.

(2) The term of office of the physicians appointed to the commission shall be 4 years. The term of office of the state attorney, public defender, sheriff, and county commissioner each shall be 4 years unless she or he leaves that office sooner, in which case her or his appointment will terminate. The term of office of the funeral director shall be 4 years. Upon the expiration of the present terms of office, the Governor shall appoint two members for terms of 4 years, two members for terms of 3 years, two members for terms of 2 years, and one member for a term of 1 year. An appointment to fill a vacancy shall be for the unexpired portion of the term.

(3) Members of the commission shall not receive any compensation for their services, but shall be reimbursed for travel and expenses incurred in the performance of their duties as provided in s. 112.061.

(4) The Medical Examiners Commission shall:

- (a) Initiate cooperative policies with any agency of the state or political subdivision thereof.
- (b) Remove or suspend district medical examiners pursuant to this act and have the authority to investigate violations of this act.

(c) Oversee the distribution of state funds for the medical examiner districts and may make such agreements and contracts, subject to approval of the executive director of the Department of Law Enforcement, as may be necessary to effect the provisions of this chapter.

(5) All staffing and budgetary decisions involving the commission shall be subject to the approval of the executive director of the department.

(6) The Department of Law Enforcement shall employ staff for the commission pursuant to subsection (5).

History.—s. 2, ch. 70-232; s. 1, ch. 70-439; s. 1, ch. 72-392; s. 1, ch. 77-174; s. 4, ch. 78-323; s. 15, ch. 79-8; ss. 1, 5, 6, 7, ch. 81-89; ss. 1, 4, ch. 82-46; s. 2, ch. 83-265; s. 16, ch. 86-220; ss. 1, 7, 8, ch. 87-359; s. 5, ch. 91-429; s. 25, ch. 97-103; s. 174, ch. 99-8; s. 140, ch. 2004-301; s. 55, ch. 2008-6; s. 113, ch. 2010-102.

406.03 Organization and meetings of commission.— The commission shall annually select a chair from among its own membership and shall meet at least four times each year and on the call of the chair.

History.—s. 3, ch. 70-232; s. 4, ch. 78-323; ss. 6, 7, ch. 81-89; ss. 1, 4, ch. 82-46; s. 2, ch. 83-265; ss. 7, 8, ch. 87-359; s. 5, ch. 91-429; s. 26, ch. 97-103.

406.04 Rules.— The commission shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter. The commission shall ensure minimum and uniform standards of excellence, performance of duties, and maintenance of records so as to provide useful and adequate information to the state in regard to causative factors of those deaths investigated.

History.—s. 3, ch. 70-232; s. 4, ch. 78-323; ss. 6, 7, ch. 81-89; ss. 1, 4, ch. 82-46; s. 2, ch. 83-265; ss. 7, 8, ch. 87-359; s. 5, ch. 91-429; s. 110, ch. 98-200.

406.05 Medical examiner districts.— The Medical Examiners Commission shall establish medical examiner districts within the state, taking into consideration population, judicial circuits of the state, geographical size of the area of coverage, availability of trained personnel, death rate by both natural and unnatural causes, and similar related factors. No county may be divided in the creation of a district. However, this limitation shall not prohibit cooperative arrangements among the several districts.

History.—s. 3, ch. 70-232; s. 2, ch. 72-392; s. 4, ch. 78-323; ss. 6, 7, ch. 81-89; ss. 1, 4, ch. 82-46; s. 2, ch. 83-265; ss. 7, 8, ch. 87-359; s. 5, ch. 91-429.

406.06 District medical examiners; associates; suspension of medical examiners.—

(1)(a) A district medical examiner shall be appointed by the Governor for each medical examiner district from nominees who are practicing physicians in pathology, whose nominations are submitted to the Governor by the

Medical Examiners Commission. The term of office of each district medical examiner shall be 3 years. An appointment to fill a vacancy shall be for the unexpired portion of the term.

(b) A physician member of the Medical Examiners Commission shall be eligible to serve as a district medical examiner upon approval by the Governor.

(2) The district medical examiner may appoint as many physicians as associate medical examiners as may be necessary to provide service at all times and all places within the district. Associate medical examiners shall serve at the pleasure of the district medical examiner. The district medical examiner shall file an affidavit with the supervisor of elections in the county in which she or he resides assuring that associate medical examiners have no conflicting financial interests or clients represented before agencies pursuant to s. 112.3145.

(3) District medical examiners and associate medical examiners shall be entitled to compensation and such reasonable salary and fees as are established by the board of county commissioners in the respective districts.

(4) District medical examiners and associate medical examiners may engage in the private practice of medicine or surgery, if licensed pursuant to chapter 458 or chapter 459, insofar as such private practice does not interfere with their duties as prescribed herein.

(5) District medical examiners and associate medical examiners are public officers for purposes of s. 112.313 and the standards of conduct prescribed thereunder.

(6) The Governor may suspend a medical examiner for violation of s. 406.11(2)(b).

(7) The Medical Examiners Commission may temporarily suspend a medical examiner who is unable to carry out the duties of a medical examiner by reason of the use of alcohol, drugs, narcotics, chemicals, or any other type of material. The commission shall reinstate the medical examiner if the medical examiner shows the commission that he or she is under appropriate treatment or in an appropriate program addressing the use of alcohol, drugs, narcotics, chemicals, or any other type of material and is again capable of carrying out the duties of a medical examiner.

History.—ss. 4, 5, ch. 70-232; s. 3, ch. 72-392; s. 2, ch. 81-89; s. 68, ch. 83-218; s. 2, ch. 87-359; s. 2, ch. 90-169; s. 27, ch. 97-103; s. 1, ch. 98-253.

406.075 Grounds for discipline; disciplinary proceedings.—

(1) A medical examiner may be reprimanded, placed on a period of probation, removed, or suspended by the Medical Examiners Commission for any of the following:

- (a) Failure to comply with the provisions of this chapter or with the rules of the commission.
- (b) Misuse or misappropriation of public funds or property.
- (c) Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which directly relates to the duties of the district medical examiner or the ability to perform the duties of the medical examiner.
- (d) Disciplinary action against him or her by any state board licensing him or her as a physician.
- (e) Having a financial interest in any funeral or direct disposal establishment or transportation service which does business, directly or indirectly, with the office of the district medical examiner.
- (f) A material misrepresentation of his or her education, training, experience, or expertise while in his or her capacity as a medical examiner.
- (g) A material misrepresentation of data upon which an opinion or conclusion as a medical examiner is based.
- (h) Violation of s. 406.11(2)(b).
- (i) Negligence or the failure to perform the duties required of a medical examiner with that level of care or skill which is recognized by reasonably prudent medical examiners as being acceptable under similar conditions and circumstances.

(2) The commission shall cause to be investigated any complaint which is filed before it if the complaint is in writing, signed by the complainant, and legally sufficient. A complaint is legally sufficient if it contains ultimate facts which show a violation of this chapter or of any rule promulgated by the commission. The commission may investigate and take action on a complaint even though the complainant withdraws the complaint. The commission may investigate a complaint from a confidential informant if the complaint is substantial, if the alleged violation is substantial, if the complaint is legally sufficient, and if the commission has reason to believe, after inquiry, that the allegations are true. When an investigation of any district medical examiner or associate medical examiner is commenced, the commission shall notify the person against whom the complaint was made of the substance of the

investigation, unless the commission chair agrees in writing that such notification would be detrimental to the investigation. The commission may conduct an investigation without notification to any person if the act under investigation is a criminal offense. The commission chair shall direct the commission staff to perform an expeditious investigation into the facts of the case, with the assistance of the Department of Law Enforcement, if needed. The staff report shall contain investigative findings and recommendations as to probable cause.

(3)(a) The commission chair shall appoint a probable cause panel of three members from among the commission membership, one of whom shall be a medical examiner. The probable cause panel may request staff to perform additional investigations as it sees fit.

1. The determination as to whether or not probable cause exists shall be made by a majority vote of the probable cause panel within 30 working days of its receipt of staff investigative findings and recommendations. The commission chair may grant 30-day extensions of the 30 working day time limit.

2. All proceedings and findings of the probable cause panel are exempt from the provisions of s. 286.011 until probable cause has been found or until the subject of the investigation waives confidentiality. The complaint, all investigative findings, and the recommendations of the probable cause panel are exempt from the provisions of s. 119.07(1) until 10 days after probable cause has been found or until the subject of the investigation waives confidentiality. The commission may provide such information at any time to any law enforcement agency or to any regulatory agency.

(b) If the probable cause panel finds that probable cause exists, it shall direct the commission to file a formal complaint against the subject of the investigation. The commission shall file a formal complaint pursuant to the provisions of chapter 120. The probable cause panel may also direct the commission to suspend a district medical examiner from office immediately, under the provisions of s. 120.60(6), if a danger to public health, safety, or welfare so requires.

(c) A formal hearing before an administrative law judge from the Division of Administrative Hearings of the Department of Management Services shall be held pursuant to chapter 120 unless all parties agree in writing that there is no disputed issue of material fact. The administrative law judge shall issue a recommended order pursuant to chapter 120. If any party raises an issue of disputed fact during an informal hearing, the hearing shall be terminated and a formal hearing pursuant to chapter 120 shall be held.

(d) The commission, with those members of the probable cause panel who reviewed the case being excused from voting, shall determine and issue the final order in each disciplinary case, and such order shall constitute final agency action. Any consent order or agreed settlement shall be subject to the approval of the commission.

(e) The commission shall periodically notify the person who filed the complaint of the status of the investigation, whether probable cause has been found, and the status of any civil action or administrative proceeding or appeal.

(4) A privilege against civil liability is hereby granted to any complainant or any witness with regard to information furnished during any investigation or proceeding pursuant to this section, unless the complainant or witness acted in bad faith or with malice in providing such information.

History.—s. 3, ch. 87-359; s. 2, ch. 88-303; s. 9, ch. 90-344; s. 5, ch. 91-429; s. 128, ch. 92-279; s. 55, ch. 92-326; s. 246, ch. 96-406; s. 189, ch. 96-410; s. 1015, ch. 97-103; s. 2, ch. 98-253.

406.08 Payment of fees, salaries, and expenses; transportation costs; facilities.—

(1) Fees, salaries, and expenses may be paid from the general funds or any other funds under the control of the board of county commissioners. The district medical examiner shall submit an annual budget to the board of county commissioners.

(2) In the event that an examination or autopsy is performed by the district medical examiner or his or her associate upon a body when the death occurred outside the district, the governmental body requesting the examination or autopsy shall pay the fee for such services.

(3) When a body is transported to the district medical examiner or his or her associate, transportation costs, if any, shall be borne by the county in which the death occurred. Nothing within this chapter shall preclude payment for services to the district medical examiner by the state, either in part or on a matching basis.

(4) Notwithstanding any provision of law to the contrary, if an examination, investigation, or autopsy is performed by the district medical examiner or his or her associate upon the body of a person who died while in the custody of a facility or institution operated by a state agency, that state agency shall pay for such services and for any costs of transporting the body to the district medical examiner.

(5) Autopsy and laboratory facilities utilized by the district medical examiner or his or her associates may be provided on a permanent or contractual basis by the counties within the district.

History.—s. 5, ch. 70-232; s. 144, ch. 77-104; s. 3, ch. 81-89; s. 1, ch. 85-268; s. 4, ch. 87-359; s. 28, ch. 97-103.

406.09 Expert witness fees.— District medical examiners or associate medical examiners shall be entitled to expert witness fees as provided by law.

History.—s. 5, ch. 70-232; s. 4, ch. 81-89.

406.11 Examinations, investigations, and autopsies.—

(1) In any of the following circumstances involving the death of a human being, the medical examiner of the district in which the death occurred or the body was found shall determine the cause of death and shall, for that purpose, make or perform such examinations, investigations, and autopsies as he or she deems necessary or as requested by the state attorney:

(a) When any person dies in this state:

1. Of criminal violence.
2. By accident.
3. By suicide.
4. Suddenly, when in apparent good health.
5. Unattended by a practicing physician or other recognized practitioner.
6. In any prison or penal institution.
7. In police custody.
8. In any suspicious or unusual circumstance.
9. By criminal abortion.
10. By poison.
11. By disease constituting a threat to public health.
12. By disease, injury, or toxic agent resulting from employment.

(b) When a dead body is brought into this state without proper medical certification.

(c) When a body is to be cremated, dissected, or buried at sea.

(2)(a) The district medical examiner shall have the authority in any case coming under subsection (1) to perform, or have performed, whatever autopsies or laboratory examinations he or she deems necessary and in the public interest to determine the identification of or cause or manner of death of the deceased or to obtain evidence necessary for forensic examination.

(b) The Medical Examiners Commission shall adopt rules, pursuant to chapter 120, providing for the notification of the next of kin that an investigation by the medical examiner's office is being conducted. A medical examiner may not retain or furnish any body part of the deceased for research or any other purpose which is not in conjunction with a determination of the identification of or cause or manner of death of the deceased or the presence of disease or which is not otherwise authorized by this chapter, part V of chapter 765, or chapter 873, without notification of and approval by the next of kin.

(c) A district medical examiner shall assist the State Health Officer in identifying and reporting deaths upon a request by the State Health Officer under s. 381.00315.

History.—s. 6, ch. 70-232; s. 26, ch. 73-334; s. 1, ch. 77-174; s. 1, ch. 87-166; s. 29, ch. 97-103; s. 3, ch. 98-253; s. 48, ch. 2006-1; s. 28, ch. 2015-4; s. 19, ch. 2021-8; s. 7, ch. 2022-71.

406.12 Duty to report; prohibited acts.— It is the duty of any person in the district where a death occurs, including all municipalities and unincorporated and federal areas, who becomes aware of the death of any person occurring under the circumstances described in s. 406.11 to report such death and circumstances forthwith to the district medical

examiner. Any person who knowingly fails or refuses to report such death and circumstances, who refuses to make available prior medical or other information pertinent to the death investigation, or who, without an order from the office of the district medical examiner, willfully touches, removes, or disturbs the body, clothing, or any article upon or near the body, with the intent to alter the evidence or circumstances surrounding the death, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

History.—s. 7, ch. 70-232; s. 353, ch. 71-136.

406.13 Examiner's report; maintenance of records.— Upon receipt of such notification pursuant to s. 406.12, the district medical examiner or her or his associate shall examine or otherwise take charge of the dead body and shall notify the appropriate law enforcement agency pursuant to s. 406.145. When the cause of death has been established within reasonable medical certainty by the district medical examiner or her or his associate, she or he shall so report or make available to the state attorney, in writing, her or his determination as to the cause of said death. Duplicate copies of records and the detailed findings of autopsy and laboratory investigations shall be maintained by the district medical examiner. Any evidence or specimen coming into the possession of said medical examiner in connection with any investigation or autopsy may be retained by the medical examiner or be delivered to one of the law enforcement officers assigned to the investigation of the death.

History.—ss. 7, 8, ch. 70-232; s. 26, ch. 73-334; s. 1, ch. 86-234; s. 30, ch. 97-103.

406.135 Autopsies; confidentiality of photographs and video and audio recordings; confidentiality of reports of minor victims of domestic violence; exemption.—

- (1) As used in this section, the term:
 - (a) “Domestic violence” has the same meaning as in s. 741.28.
 - (b) “Medical examiner” means any district medical examiner, associate medical examiner, or substitute medical examiner acting pursuant to this chapter, as well as any employee, deputy, or agent of a medical examiner or any other person who may obtain possession of a report, photograph, or audio or video recording of an autopsy in the course of assisting a medical examiner in the performance of his or her official duties.
 - (c) “Minor” means a person younger than 18 years of age who has not had the disability of nonage removed pursuant to s. 743.01 or s. 743.015.
- (2)(a) A photograph or video or audio recording of an autopsy held by a medical examiner is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except that a surviving spouse may view and copy a photograph or video recording or listen to or copy an audio recording of the deceased spouse's autopsy. If there is no surviving spouse, then the surviving parents shall have access to such records. If there is no surviving spouse or parent, then an adult child shall have access to such records.
- (b) An autopsy report of a minor whose death was related to an act of domestic violence held by a medical examiner is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except that a surviving parent of the deceased minor may view and copy the autopsy report if the surviving parent did not commit the act of domestic violence which led to the minor's death.
- (3)(a) The deceased's surviving relative, with whom authority rests to obtain such records, may designate in writing an agent to obtain such records.
- (b) Notwithstanding subsection (2), a local governmental entity, or a state or federal agency, in furtherance of its official duties, pursuant to a written request, may:
 1. View or copy a photograph or video recording or may listen to or copy an audio recording of an autopsy; and
 2. View or copy an autopsy report of a minor whose death was related to an act of domestic violence.

Unless otherwise required in the performance of official duties, the identity of the deceased shall remain confidential and exempt.

- (c) The custodian of the record, or his or her designee, may not permit any other person, except an agent designated in writing by the deceased's surviving relative with whom authority rests to obtain such records, to view

or copy an autopsy report of a minor whose death was related to an act of domestic violence or a photograph or video recording of an autopsy or listen to or copy an audio recording of an autopsy without a court order.

(4)(a) The court, upon a showing of good cause, may issue an order authorizing any person to view or copy an autopsy report of a minor whose death was related to an act of domestic violence or a photograph or video recording of an autopsy or to listen to or copy an audio recording of an autopsy and may prescribe any restrictions or stipulations that the court deems appropriate.

(b) In determining good cause, the court shall consider whether such disclosure is necessary for the public evaluation of governmental performance; the seriousness of the intrusion into the family's right to privacy and whether such disclosure is the least intrusive means available; and the availability of similar information in other public records, regardless of form.

(c) In all cases, the viewing, copying, listening to, or other handling of an autopsy report of a minor whose death was related to an act of domestic violence or a photograph or video or audio recording of an autopsy must be under the direct supervision of the custodian of the record or his or her designee.

(5)(a) A surviving spouse must be given reasonable notice of a petition filed with the court to view or copy a photograph or video recording of an autopsy or a petition to listen to or copy an audio recording, a copy of such petition, and reasonable notice of the opportunity to be present and heard at any hearing on the matter. If there is no surviving spouse, then such notice must be given to the parents of the deceased, and if there is no living parent, then to the adult children of the deceased.

(b) For an autopsy report of a minor whose death was related to an act of domestic violence, any surviving parent who did not commit the act of domestic violence which led to the minor's death must be given reasonable notice of a petition filed with the court to view or copy the autopsy report, a copy of such petition, and reasonable notice of the opportunity to be present and heard at any hearing on the matter.

(6)(a) Any custodian of an autopsy report of a minor whose death was related to an act of domestic violence or a photograph or video or audio recording of an autopsy who willfully and knowingly violates this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) Any person who willfully and knowingly violates a court order issued pursuant to this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(7) A criminal or administrative proceeding is exempt from this section but is subject to all other provisions of chapter 119 unless otherwise exempted. This section does not prohibit a court in a criminal or administrative proceeding upon good cause shown from restricting or otherwise controlling the disclosure of an autopsy, crime scene, or similar report, photograph, or video or audio recording in the manner prescribed herein.

(8) The exemptions in this section shall be given retroactive application.

(9) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

History.—s. 1, ch. 2001-1; s. 1, ch. 2003-184; s. 1, ch. 2006-263; s. 4, ch. 2023-44.

406.14 Duty of law enforcement officers.— Any evidence material to the determination of the cause of death in possession of the law enforcement officers assigned to the investigation of the death shall be made available to the medical examiner. It is the duty of the law enforcement officer assigned to and investigating the death to immediately establish and maintain liaison with the medical examiner during the investigation into the cause of death.

History.—s. 8, ch. 70-232.

406.145 Unidentified persons; reporting requirements.— When an unidentified body is transported to a district medical examiner pursuant to this chapter, the medical examiner shall immediately report receipt of such body to the appropriate law enforcement agency, provided such law enforcement agency was not responsible for transportation of the body to the medical examiner. If the medical examiner cannot determine the law enforcement agency having jurisdiction, he or she shall notify the sheriff of the county in which the medical examiner is located, who shall determine the law enforcement agency responsible for the identification. It is the duty of the law enforcement officer assigned to and investigating the death to immediately establish the identity of the body. If the body is not

immediately identified, the law enforcement agency responsible for investigating the death shall enter data concerning the body, through the Florida Crime Information Center, into the Unidentified Person File of the National Crime Information Center.

History.—s. 2, ch. 86-234; s. 31, ch. 97-103; s. 3, ch. 2013-116.

406.15 Designation of substitute in absence of official examiner.— In the absence of the district medical examiner or associate medical examiner, the state attorney of the county may appoint a competent physician to act in their stead.

History.—s. 9, ch. 70-232; s. 26, ch. 73-334.

406.16 Professional liability insurance.— The district medical examiners and associate medical examiners shall obtain professional liability insurance in an amount to be determined by the board of county commissioners of the county or counties served. The fees for such insurance shall be paid from funds appropriated by the board of county commissioners of such county or counties. No county shall be liable for any acts of a medical examiner not within the scope of his or her official duties.

History.—s. 10, ch. 70-232; s. 32, ch. 97-103.

406.17 Application and construction.— This chapter supersedes all parts of statutes, general law, and special acts, with which it may be in conflict. Nothing in this chapter shall be construed to repeal or amend s. 925.09 or to affect the right of prosecutors to investigate and determine causes of death which, in their opinion, may have been criminally caused. In home rule counties which have established medical examiners under provisions of a home rule charter or a code or ordinance enacted pursuant to the charter, the medical examiner shall also serve as the district medical examiner who would otherwise be appointed under this chapter.

History.—s. 11, ch. 70-232; s. 1, ch. 81-233; s. 5, ch. 87-359.

PART II DISPOSITION OF HUMAN REMAINS

406.49 Definitions.

406.50 Unclaimed remains; disposition, procedure.

406.51 Final disposition of unclaimed deceased veterans; contract requirements.

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406.57 Distribution of human remains.

406.58 Fees; authority to accept additional funds; annual audit.

406.59 Institutions receiving human remains.

406.60 Disposition of human remains after use.

406.61 Selling, buying, or conveying human remains outside state prohibited; exceptions; penalty.

406.49 Definitions.— As used in this part, the term:

(1) “Anatomical board” means the anatomical board of the state headquartered at the University of Florida Health Science Center.

(2) “Cremated remains” has the same meaning as provided in s. 497.005.

(3) “Final disposition” has the same meaning as provided in s. 497.005.

(4) “Human remains” or “remains” has the same meaning as provided in s. 497.005.

(5) “Indigent person” means a person whose family income does not exceed 100 percent of the current federal poverty guidelines prescribed for the family’s household size by the United States Department of Health and Human Services.

(6) “Legally authorized person” has the same meaning as provided in s. 497.005.

(7) “Nontransplant anatomical donation organization” means a tissue bank or other organization that facilitates nontransplant anatomical donation, including referral, obtaining informed consent or authorization, acquisition, traceability, transport, assessing donor acceptability, preparation, packaging, labeling, storage, release, evaluating intended use, distribution, and final disposition of nontransplant anatomical donations.

(8) “Unclaimed remains” means human remains that are not claimed by a legally authorized person, other than a medical examiner or the board of county commissioners, for final disposition at the person’s expense.

History.—s. 5, ch. 2013-138.

406.50 Unclaimed remains; disposition, procedure.—

(1) A person or entity that comes into possession, charge, or control of unclaimed remains that are required to be buried or cremated at public expense shall immediately notify the anatomical board, unless:

- (a) The unclaimed remains are decomposed or mutilated by wounds;
- (b) An autopsy is performed on the remains;
- (c) The remains contain a contagious disease;
- (d) A legally authorized person objects to use of the remains for medical education or research; or
- (e) The deceased person was a veteran of the United States Armed Forces, United States Reserve Forces, or National Guard and is eligible for burial in a national cemetery or was the spouse or dependent child of a veteran eligible for burial in a national cemetery.

(2) Before the final disposition of unclaimed remains, the person or entity in charge or control of the remains shall make a reasonable effort to:

- (a) Determine the identity of the deceased person and contact any relatives of the deceased person.
- (b) Determine whether the deceased person is eligible under 38 C.F.R. s. 38.620 for burial in a national cemetery as a veteran of the armed forces and, if eligible, to cause the deceased person’s remains or cremated remains to be delivered to a national cemetery.

For purposes of this subsection, “a reasonable effort” includes contacting the National Cemetery Scheduling Office, the county veterans service office, or the regional office of the United States Department of Veterans Affairs.

(3) Unclaimed remains shall be delivered to the anatomical board as soon as possible after death. When no family exists or is available, a funeral director licensed under chapter 497 may assume the responsibility of a legally authorized person and may, after 24 hours have elapsed since the time of death, authorize arterial embalming for the purposes of storage and delivery of unclaimed remains to the anatomical board. A funeral director licensed under chapter 497 is not liable for damages under this subsection.

(4) The remains of a deceased person whose identity is not known may not be cremated, donated as an anatomical gift, buried at sea, or removed from the state.

(5) If the anatomical board does not accept the unclaimed remains, the board of county commissioners or its designated county department of the county in which the death occurred or the remains were found may authorize and arrange for the burial or cremation of the entire remains. A board of county commissioners may by resolution or ordinance, in accordance with applicable laws and rules, prescribe policies and procedures for final disposition of unclaimed remains.

(6) This part does not affect the right of a medical examiner to hold human remains for the purpose of investigating the cause of death or the right of any court of competent jurisdiction to enter an order affecting the disposition of such remains.

History.—s. 6, ch. 28163, 1953; ss. 15, 35, ch. 69-106; s. 22, ch. 73-334; s. 1, ch. 91-168; s. 1, ch. 96-251; s. 1, ch. 2002-204; s. 141, ch. 2004-301; s. 6, ch. 2013-138.

Note.—Former s. 245.06.

406.51 Final disposition of unclaimed deceased veterans; contract requirements.—Any contract by a local governmental entity for the final disposition of unclaimed remains must provide for compliance with s. 406.50(2) and

require that the procedures in 38 C.F.R. s. 38.620, relating to disposition of unclaimed deceased veterans, are followed.

History.—s. 2, ch. 2002-204; s. 43, ch. 2003-1; s. 7, ch. 2013-138.

406.52 Retention of human remains before use; claim after delivery to anatomical board; procedures for unclaimed remains of indigent persons.—

(1) The anatomical board shall keep in storage all human remains that it receives for at least 48 hours before allowing their use for medical education or research. Human remains may be embalmed when received. The anatomical board may, for any reason, refuse to accept unclaimed remains or the remains of an indigent person.

(2) At any time before their use for medical education or research, human remains delivered to the anatomical board may be claimed by a legally authorized person. The anatomical board shall release the remains to the legally authorized person after payment of the anatomical board's expenses incurred for transporting, embalming, and storing the remains.

(3)(a) A board of county commissioners may by resolution or ordinance, in accordance with applicable laws and rules, prescribe policies and procedures for the burial or cremation of the entire unclaimed remains of an indigent person whose death occurred, or whose remains were found, in the county.

(b) A person licensed under chapter 497 is not liable for any damages resulting from cremating or burying such human remains at the written direction of the board of county commissioners or its designee.

History.—s. 8, ch. 28163, 1953; ss. 15, 35, ch. 69-106; s. 1, ch. 72-40; s. 1, ch. 77-174; s. 2, ch. 91-168; s. 2, ch. 96-251; s. 12, ch. 98-268; s. 142, ch. 2004-301; s. 8, ch. 2013-138.

Note.—Former s. 245.07.

406.53 Unclaimed remains of indigent person; exemption from notice to the anatomical board.—A board of county commissioners or its designated county department that receives a report of the unclaimed remains of an indigent person, notwithstanding s. 406.50(1), is not required to notify the anatomical board of the remains if:

(1) The indigent person's remains are decomposed or mutilated by wounds or if an autopsy is performed on the remains;

(2) A legally authorized person or a relative by blood or marriage claims the remains for final disposition at his or her expense or, if such relative or legally authorized person is also an indigent person, in a manner consistent with the policies and procedures of the board of county commissioners of the county in which the death occurred or the remains were found;

(3) The deceased person was a veteran of the United States Armed Forces, United States Reserve Forces, or National Guard and is eligible for burial in a national cemetery or was the spouse or dependent child of a veteran eligible for burial in a national cemetery; or

(4) A funeral director licensed under chapter 497 certifies that the anatomical board has been notified and either accepted or declined the remains.

History.—s. 7, ch. 28163, 1953; s. 1, ch. 67-564; ss. 15, 35, ch. 69-106; s. 1, ch. 81-40; s. 10, ch. 84-114; s. 12, ch. 95-143; s. 88, ch. 95-148; s. 3, ch. 96-251; s. 44, ch. 99-8; s. 143, ch. 2004-301; s. 9, ch. 2013-138.

Note.—Former s. 245.08.

406.55 Contracts for delivery of human remains after death prohibited.—The anatomical board may not enter into any contract, oral or written, that provides for any sum of money to be paid to any living person in exchange for the delivery of that person's remains to the anatomical board when the person dies.

History.—s. 9, ch. 28163, 1953; ss. 15, 35, ch. 69-106; s. 5, ch. 96-251; s. 10, ch. 2013-138.

Note.—Former s. 245.10.

406.56 Acceptance of human remains under will.—If any person of sound mind executes a will leaving his or her remains to the anatomical board for medical education or research and the person dies within the geographical limits of the state, the anatomical board may accept and receive the person's remains.

History.—s. 10, ch. 28163, 1953; ss. 15, 35, ch. 69-106; s. 6, ch. 96-251; s. 11, ch. 2013-138.

Note.—Former s. 245.11.

406.57 Distribution of human remains.— The anatomical board or its duly authorized agent shall take and receive human remains delivered to it as provided in this chapter and shall:

- (1) Distribute the remains equitably among the medical and dental schools, teaching hospitals, medical institutions, and health-related teaching programs that require cadaveric material for study; or
- (2) Loan the remains to accredited colleges of mortuary science or medical or dental examining boards for educational or research purposes.

History.—s. 11, ch. 28163, 1953; ss. 15, 35, ch. 69-106; s. 7, ch. 96-251; s. 12, ch. 2013-138.

Note.— Former s. 245.12.

406.58 Fees; authority to accept additional funds; annual audit.—

- (1) The anatomical board may:
 - (a) Adopt a schedule of fees to be collected from the institutions to which the human remains are distributed or loaned to defray the costs of obtaining and preparing the remains.
 - (b) Receive money from public or private sources, in addition to the fees collected from the institutions to which human remains are distributed, to be used to defray the costs of embalming, handling, shipping, storing, cremating, and otherwise obtaining and using the remains.
 - (c) Pay or reimburse the reasonable expenses, as determined by the anatomical board, incurred by a funeral establishment or removal service licensed under chapter 497 for the removal, storage, and transportation to the anatomical board of unclaimed human remains.
 - (d) Enter into contracts and perform such other acts necessary for the proper performance of its duties.
- (2) The anatomical board shall keep a complete record of all fees and other financial transactions. The University of Florida shall conduct an audit of the financial records of the anatomical board at least once every 3 years or more frequently as the university deems necessary. Within 90 days after completing an audit, the university shall provide a copy of the audit to the Department of Financial Services. The university may contract with a licensed public accounting firm to provide for the audit, which firm may be paid from the fees collected by the anatomical board.

History.—ss. 12, 15, ch. 28163, 1953; ss. 12, 15, 19, 35, ch. 69-106; s. 3, ch. 79-12; s. 8, ch. 96-251; s. 433, ch. 2003-261; s. 13, ch. 2013-138.

Note.— Former s. 245.13.

406.59 Institutions receiving human remains.— A university, school, college, teaching hospital, or institution may not receive any human remains from the anatomical board until its facilities are inspected and approved by the anatomical board. Human remains received by such university, school, college, teaching hospital, or institution may not be used for any purpose other than medical education or research.

History.—s. 13, ch. 28163, 1953; ss. 11, 15, 35, ch. 69-106; s. 3, ch. 72-40; s. 9, ch. 96-251; s. 14, ch. 2013-138.

Note.— Former s. 245.14.

406.60 Disposition of human remains after use.— When human remains have been used for, and are not of any further value to, medical or dental education or research, the anatomical board or a cinerator facility licensed under chapter 497 may dispose of the remains or any part thereof by cremation.

History.—s. 14, ch. 28163, 1953; s. 15, ch. 2013-138.

Note.— Former s. 245.15.

406.61 Selling, buying, or conveying human remains outside state prohibited; exceptions; penalty.—

- (1)(a) The anatomical board may transport human remains outside the state for educational or scientific purposes. This chapter does not prohibit the transport of human remains, any part of such remains, or tissue specimens in furtherance of lawful examination, investigation, or autopsy conducted pursuant to s. 406.11.
- (b) A person, institution, or organization that conveys human remains or any part thereof into or outside the state for medical or dental education or research purposes must notify the anatomical board of such intent and receive approval from the board.
- (c) Notwithstanding paragraph (b), a nontransplant anatomical donation organization accredited by the American Association of Tissue Banks may convey human remains or any part thereof into or outside the state for medical or

dental education or research purposes without notifying or receiving approval from the anatomical board. Effective October 1, 2014, a nontransplant anatomical donation organization must be accredited by the American Association of Tissue Banks.

(d) A person who sells or buys human remains or any part thereof, or a person who transmits or conveys or causes to be transmitted or conveyed such remains or part thereof to any place outside this state, in violation of this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. This paragraph does not apply to a recognized Florida medical or dental school.

(2)(a) Human remains received in this state by the anatomical board or a nontransplant anatomical donation organization must be accompanied by the original burial-transit permit issued pursuant to s. 382.007. The remains may not be dissected, segmented, or disarticulated until the district medical examiner of the county in which the death occurred or the remains were found grants approval pursuant to s. 406.11.

(b) A nontransplant anatomical donation organization must obtain specific written consent for the dissection, segmentation, or disarticulation of any part of the remains from a person who is authorized under s. 765.512 to give such consent. Such consent must expressly state that the remains may undergo long-term preservation or extensive preparation, including, but not limited to, removal of the head, arms, legs, hands, feet, spine, organs, tissues, or fluids.

(3) A person, institution, or organization may not offer in exchange for human remains any monetary inducement or other valuable consideration, including goods or services, to a donor, a legally authorized person, the donor's estate, or any other third party. As used in this subsection, the term "valuable consideration" does not include, and this subsection does not prohibit, payment or reimbursement of the reasonable costs associated with the removal, storage, and transportation of human remains, including payment or reimbursement of a funeral establishment or removal service licensed under chapter 497 or the reasonable costs after use, including payment or reimbursement for the disposition of human remains pursuant to s. 406.60.

(4) An entity accredited by the American Association of Museums may convey plastinated human remains or any part thereof within, into, or outside the state for exhibition and public educational purposes without the consent of the anatomical board if the accredited entity:

(a) Notifies the anatomical board of the conveyance and the duration and location of the exhibition at least 30 days before the intended conveyance.

(b) Submits to the anatomical board a description of the remains or any part thereof and the name and address of the company providing the remains or any part thereof.

(c) Submits to the anatomical board documentation that the remains or each part thereof was donated by the decedent or his or her next of kin for purposes of plastination and public exhibition, or, in lieu of such documentation, an affidavit stating that the remains or each part thereof was donated directly by the decedent or his or her next of kin for such purposes to the company providing the remains and that such company has a donation form on file for the remains.

History.—s. 16, ch. 28163, 1953; ss. 15, 35, ch. 69-106; s. 144, ch. 71-136; s. 4, ch. 72-40; s. 3, ch. 91-168; s. 1, ch. 93-3; s. 10, ch. 96-251; s. 1, ch. 2009-128; s. 10, ch. 2013-16; s. 16, ch. 2013-138.

Note.— Former s. 245.16.

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