

MEDICAL EXAMINERS COMMISSION MEETING

World Golf Village Renaissance
500 South Legacy Trail
St. Augustine, Florida 32092
November 5, 2021 10:00 AM EDT

Commission Chairman Stephen J. Nelson, M.A., M.D., F.C.A.P, called the meeting of the Medical Examiners Commission to order at **10:02 AM**. He 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. He then welcomed everyone to the meeting and asked Commission members, staff, and audience members to introduce themselves.

Commission members present:

Stephen J. Nelson, M.A., M.D., F.C.A.P., District 10 Medical Examiner
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

Commission staff present:

Vickie Koenig
Chad Lucas
Megan Neel

Brett Kirkland, Ph.D.
James D. Martin, J.D.

District Medical Examiners present:

James W. Fulcher, M.D. (District 7)
Deanna Oleske, M.D. (District 1)
B. Robert Pietak, M.D. (District 4)
Joshua D. Stephany, M.D. (Districts 9 & 25)

Patricia A. Aronica, M.D. (District 19)
Jon R. Thogmartin, M.D. (District 6)
Wendolyn Sneed, M.D. (District 15)
Marta U. Coburn, M.D. (District 20)

Other District personnel present:

Bruce Goldberger, Ph.D. (UF, District 8)
Lindsey Bayer (Districts 5 & 24)
Paul Petrino (District 15)
Kent Holloway (District 23)
Lisa Flannagan, M.D. (District 2)
Natalia Belova, M.D. (District 15)
Heidi Reinhard, M.D. (District 15)
Benjamin Mathis, M.D. (District 11)

Karla Orozco (District 7)
Ralph Saccone (District 15)
Dan Schebler (District 1)
Sheri Blanton (Districts 9 & 25)
Tiffany Poston (District 2)
Terrill Tops, M.D. (District 15)
Marlon Osbourne, M.D. (District 15)

Guests present:

Josh Mott (Volusia SO)
Kerri Bryan (FL DOH)
Amy Wilson (LifeNet)
Chris Boden

Linda McCluskey (LifeLink)
Avalon Adams-Thames (FL DOH)
Amy Reese (LEITR)
Phoebe Stubblefield, Ph.D. (C.A. Pound Lab)

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

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ISSUE NUMBER 1: INFORMATIONAL ITEMS

- Commission Chairman Dr. Nelson announced that former District 4 Medical Examiner Margarita Arruza, M.D. passed away on September 14, 2021.
- Commission Chairman Dr. Nelson announced that former District 4 Medical Examiner Peter Lipkovic, M.D. passed away on October 6, 2021.
- Status Report: MEC Appointments and Reappointments: Bureau Chief Brett Kirkland informed the Commission that the reappointment paperwork for Dr. Stephen J. Nelson, Dr. Barbara C. Wolf, and Mrs. Robin Giddens Sheppard are in the Governor's Appointments Office and they have everything they need for those reappointments. Additionally, the appointment paperwork for the County Commissioner seat as well as the vacant State Attorney and Sheriff Seats have been submitted to the Governor's Appointments Office and they have everything they need for the appointments. We are currently awaiting approvals from the Governor's Appointments Office.
- Status Report: DME Appointments and Reappointments: Mr. Kirkland informed the Commission that all District Medical Examiners are currently pending either appointment or reappointment. The Governor's Appointments Office has stated they have received all necessary paperwork for the appointments and reappointments. We are currently awaiting approvals from the Governor's Appointments Office.
- New District 11 Interim Medical Examiner: Dr. Nelson informed the Commission that Kenneth Hutchins, M.D. is the new District 11 Interim Medical Examiner.
- 2020 Annual Drugs in Deceased Persons Report: Mrs. Megan Neel informed the Commission that data has been received from all districts and we are currently awaiting approval from Command Staff. The report will hopefully be posted to the MEC website within the next couple of weeks.
- 2020 Annual Workload Report: Mrs. Neel reported that the 2020 Annual Workload Report was published to the MEC website and e-mailed to all interested parties at the end of September.
- 2021 Interim Drugs in Deceased Persons Report: Mrs. Neel reported that data is due by December 31, 2021. She had only received data from five districts to date.
- 2020 Paul Coverdell Forensic Science Improvement Grant Program Status Update: Mr. Lucas reported that the Bureau for Justice Assistance (BJA) released funding for the 2020 Coverdell Grant on February 23, 2021. Award packages were e-mailed to participating districts on 03/01/2021 and memorandums of understanding (MOUs) were mailed out the week of 03/22/2021. Districts are authorized to begin spending, but reimbursements cannot be completed until signed MOUs have been received by the grant manager. To date, 11 reimbursement requests had been received and there is one pending Budget Amendment Request.

ISSUE NUMBER 2: UNIDENTIFIED DECEASED INITIATIVE

Mr. Lucas reported the following success story from District 11:

In April 1989, skeletal remains of a black female were found in a field in Miami-Dade County. Efforts to identify the decedent were attempted, but to no avail. The decedent remained unidentified.

In January 2020, the case was reopened by the Miami-Dade Medical Examiner Department in an attempt to identify the decedent. DNA samples were submitted to the University of North Texas Center for Human Identification. The NamUs database was searched for missing person leads and had a profile for missing person Eva Murphy. Miami-Dade Police Department Detective Suzanne Gowdie was contacted and collected family reference samples for the missing person to compare to the decedent. In July 2021, the decedent was identified as Eva Murphy and next of kin was notified.

Mr. Lucas reported the following success story from District 19:

On June 1, 2021, the St. Lucie County Sheriff's Office was dispatched to 7410 S US Highway 1 in Port St. Lucie in reference to a deceased individual. Upon arrival, Deputy Sheriff Boyce made contact with a landscaper who was in charge of the property. The landscaper had entered the wooded area behind the building to relieve himself when he smelled a foul odor. As he went deeper into the wooded area to investigate, he discovered what appeared to be human remains on the ground. Deputy Sheriff Boyce and Crime Scene Investigator Limb advised the remains were in an advanced state of decomposition with marked skeletonization. The decedent mandible, skull, and several vertebrae were discovered. There was a noose hanging from a tree above where the decedent's remains were found. There was no evidence on scene to suggest foul play contributed and there were no personal effects recovered from the scene to offer a tentative identification of the remains.

On June 10, 2021, the case was entered into NamUs and on June 17, 2021, the remains were sent to the CA Pound Lab for examination. Due to the decomposition of the remains, quality fingerprints were not obtainable. After several efforts and persistence working to rehydrate the fingers, Chief Medical Examiner Patricia Aronica, M.D., was able to obtain fingerprints from the decedent's right hand and they were uploaded into NamUs.

On August 27, 2021, FBI Latent Print Examiner Bryan Johnson was able to make a positive comparison/identification for Mark Clausi. St. Lucie County Detective Scuoppo was notified of the positive identification and he was able to contact next of kin in Kingston, NY.

Mr. Lucas reported the following success story from District 20:

According to the Collier County Sheriff's Office, on February 3, 1981, people found the skeletal remains of a man wrapped in an electric blanket at a remote site in Immokalee. DNA confirmed the body belonged to James Leander Sanders of Tennessee. The body did not have identification with it and investigators believed the body had been out in the elements for months. An autopsy determined the man died from blunt force trauma to his head, but investigators at the time were unable to identify him or develop any viable suspects.

Two years ago, homicide detectives took another look at the case. They submitted a tooth from the victim to DNA Labs International which, after analysis, obtained a partial DNA profile in February 2020. The Florida Department of Law Enforcement entered the partial profile into CODIS, the FBI's national database for DNA. The team submitted the additional bone to the University of North Texas for similar testing in October while detectives waited for a CODIS match. Detectives received notification from the

university that the DNA matched that of Sanders' relatives on file. The Rutherford County Sheriff's Office in Tennessee had obtained DNA from Sanders' brother, sister, and two children in 2015 and entered their profiles into CODIS.

Sanders was 32 when he was last seen on January 1, 1978, at a bus stop in Tennessee on his way to North Carolina where he planned to work on his aunt's tobacco farm. He decided to hitch a ride instead and never arrived at his aunt's farm.

ISSUE NUMBER 3: POTENTIAL DRUG REPORT CHANGES

Mr. Kirkland made a recommendation to the Commission to add xylazine as a tracked drug for the Drugs Identified in Deceased Persons Report. Xylazine is a veterinary drug used as a sedative, but has started to be commonly mixed with fentanyl, cocaine, and heroin. He reported that between 2019 and 2020 there was almost a 300 percent increase in voluntarily reported occurrences of xylazine found in deceased persons. Dr. Goldberger agreed that it was a wise idea to start tracking xylazine. He went on to say that it is the most prevalent emerging drug in the State of Florida now and is also emerging across the United States. Unfortunately, it is currently unknown what its role is in drug overdose deaths, but some offices are including it on death certificates and others are only mentioning it as being present in their reports. At this point, there may only one lab in country that is quantifying xylazine. It was and continues to be prevalent in Puerto Rico, which is where the original cases were reported about 10 years ago. It is also now fairly common in Philadelphia.

Dr. Nelson asked if xylazine is replacing levamisole as a cutting agent for cocaine. Dr. Goldberger said that it wasn't and that he continues to see levamisole at the same rate as usual. He went on to say that it is a sedative used for animals and that it has never been approved for use in humans. The effect it has on humans is unknown. Furthermore, it is not a scheduled drug, even in veterinary practices.

Dr. Nelson asked if there were any other drugs on the report with a 300 percent increase in occurrences. Mr. Kirkland and Mrs. Neel said that nothing jumped out at them like xylazine, but they could check the report to confirm.

Dr. Nelson asked if there would be any benefit in having the Attorney General's Office schedule xylazine. Dr. Goldberger said he didn't know what the rules are in the State of Florida, but it has to be proven that the drug or substance is harmful. At the moment, the data on any physiological harm to humans is not available. Dr. Nelson clarified that we know it is present in drug overdose deaths, but we do not know what it is doing. Dr. Goldberger confirmed and said that part of the reason is that labs are not quantifying xylazine routinely. The University of Florida lab is beginning to develop a method so they can quantitate xylazine in the blood. However, all the labs that are used by the State's Medical Examiner Offices can identify xylazine in testing.

Mr. Cofer asked what the raw numbers were in regards to the amount of cases involving xylazine. Mr. Kirkland said that in 2019 there were 17 cases where it had been listed as being present. In 2020, that number jumped up to 67. This follows a similar trend that was seen with gabapentin a few years ago. Dr. Goldberger added that xylazine is not an obligatory report to the MEC for the drug report, so there are almost certainly more instances of its presence not being reported currently. He also said that, from what he has seen in through the first 10 months of 2021, the occurrences of xylazine are increasing even more.

Dr. Nelson asked again if xylazine was being used as a cutting agent for the other drugs. Dr. Goldberger said that he does not recall seeing a xylazine-only drug overdose death. Mrs. Neel said that she could

go back and look at the report, but it is usually listed with other drugs or as a combined drug toxicity with xylazine in the analytes field.

Dr. Nelson said that he doesn't have an issue with adding xylazine to the list of drugs to be reported to the MEC for the report, but he was just curious what the data would actually tell us if we are not certain it causes or significantly contributes to death. Dr. Goldberger said he didn't disagree, but thought it was a means of surveillance and we would have a better idea of its impacts later.

Dr. Nelson asked the Commission what their thoughts were on the issue. Dr. Wolf said she thinks it should be tracked. Mrs. Giddens Sheppard said her only concerns were about it being a workload issue, but if it is already being reported on death certificates it shouldn't be an issue. Mr. Cofer asked if the MEC tracking xylazine would it be incumbent on the medical examiners to request it in a toxicology screening. Dr. Goldberger said Mr. Kirkland could reach out to the labs in the state and ask them to include xylazine in comprehensive drug screens as it is not difficult to detect. Dr. Nelson said that qualitative testing doesn't tell us a lot, and quantitative testing is what is really needed. Dr. Sneed commented that Axis is quantitating xylazine for them and in all of their cases where xylazine was included were multi-drug toxicity with fentanyl.

DR. WOLF MADE A MOTION THAT THE MEDICAL EXAMINERS COMMISSION START TRACKING XYLAZINE. MRS. GIDDENS SHEPPARD SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. XYLAZINE WILL BE TRACKED BY THE MEDICAL EXAMINERS COMMISSION EFFECTIVE JANUARY 1, 2022.

ISSUE NUMBER 4: EMERGING DRUGS

Dr. Goldberger provided the Commission with an update on new drug trends. The most notable finding on the FDLE crime lab drug data summary is fentanyl. Other notable findings on the FDLE crime lab drug data summary include cathinones such as eutylone and a few instances of synthetic cannabinoids as well as cocaine and methamphetamine. The Pinellas County lab noted several instances of fentanyl mixed with pentobarbital, a very strong, short-acting barbiturate. The Miami-Dade County lab reported a new cathinone, N,N-dimethylpentylone, which is the newest cathinone since eutylone. These new cathinones are intentional syntheses to stay ahead of Attorney General drug scheduling.

ISSUE NUMBER 5: OTHER BUSINESS

- FDLE General Counsel Jim Martin, J.D., informed the Commission that SB 516 has been filed for the upcoming legislative session. This bill would prohibit for-profit eye banks from procuring certain human organs. There is no companion House bill, but this is the third year in a row that this bill has been filed.
- Dr. Nelson reminded everyone that the next Commission Meeting will be on February 18, 2022, at the Orlando Marriot in Lake Mary.
- Dr. Goldberger announced that the 2021 FAME meeting was a huge success. Tentatively, the 2022 meeting will also be in Orlando at the Omni Hotel and Resort from July 27-29 with a room rate of \$189 per night and parking for \$10 per day. A Save The Date will be sent out once the dates, location, and room rates are confirmed. At this point, FAME is also still looking for a host for the event.

With no further business to come before the Commission, the meeting was adjourned at 10:39 A.M.