

MEDICAL EXAMINERS COMMISSION MEETING

Bluegreen's Bayside Resort & Spa
4114 Jan Cooley Drive
Panama City Beach, FL 32408
November 4, 2022, 10:00 AM CDT

Commission Chairman Stephen J. Nelson, M.A., M.D., F.C.A.P, called the meeting of the Medical Examiners Commission to order at **10:00 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., District 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 members not present:

Hon. Carol R. Whitmore, R.N., Manatee County Commissioner

Commission staff present:

Brett Kirkland, Ph.D.	Megan Neel
James D. Martin, J.D.	Ashley Williams
Vickie Koenig	

District Medical Examiners present:

Deanna Oleske, M.D. (District 1)	Wendolyn Sneed, M.D. (District 15)
B. Robert Pietak, M.D. (District 4)	Jay Radtke, M.D. (District 14)

Other District personnel present:

Dan Schebler (District 1)	Marlon Osbourn, M.D. (District 15)
Tim Crutchfield (District 4)	Lindsey Bayer, M.D. District 5/24)
Jeffrey Brokaw (District 4)	Catherine Miller, M.D. (District 15)
Natalia Belova, M.D. (District 15)	Terrill Tops, M.D. (District 15)
Whit Majors (District 14)	Kayla Mitchell (District 14)
Alessandra Turner (District 14)	Caitlyn Morgan (District 14)
Kim Carroll (District 19)	

Guests present:

Dean Register (FDLE)
Sue Nelson

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 27, 2022 MEDICAL EXAMINERS COMMISSION MEETING.

ISSUE NUMBER 1: INFORMATIONAL ITEMS

- New District 22 Medical Examiner: Commission Chairman Stephen J. Nelson, M.A., M.D., F.C.A.P., informed the Commission that State Attorney Amira Fox appointed Dr. Russell Vega as interim District 22 Medical Examiner and will be responsible for the operation of the office going forward.
- Commission Chairman Dr. Nelson announced that former Hillsborough County, District 13 Assistant Medical Examiner Lee Miller, M.D., passed away on September 21, 2022.
- Status Report: MEC Appointment 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, Mr. Kirkland reported that the Sheriff's vacancy is still awaiting appointment from the Governor's Office, as well as the State Attorney's vacancy. Mr. Kirkland also informed the Commission that Commissioner Carol Whitmore will be resigning from the Commission on November 22, 2022. The Florida Association of Counties was solicited for recommendations to fill the County Commissioner vacancy and they have provided two names, the Honorable Terry Burroughs, Okeechobee County Commissioner, and the Honorable Kathleen Peters, Pinellas County Commissioner. We are currently awaiting approvals from the Governor's Appointments Office. Statewide Prosecutor, Nick Cox inquired about the sheriff candidates, to which Mr. Kirkland advise there are two, Santa Rosa County Sheriff Bob Johnson and Monroe County Sheriff Rick Ramsay.
- District 2 Medical Examiner Vacancy: Dr. Nelson informed the Commission that there have not been any new developments in District 2. Dr. Jon Thogmartin is still the interim medical examiner for the district. The Medical Examiner Search Committee is still in the process of filling the vacancy.
- 2021 Annual Drug Report: Mrs. Megan Neel informed the Commission that data has been received from all districts and the report is under final review. The report will hopefully be posted to the MEC website within the next couple of weeks.
- 2021 Annual Workload Report: Mrs. Neel informed the Commission that data was published to the MEC website on October 18, 2022. Mrs. Neel stated if anyone would like a copy, they could email her or go to the Medical Examiners Commission website.
- 2022 Interim Drug Report: Mrs. Neel informed the Commission that the deadline for the data submission is November 30, 2022. Mrs. Neel asked that the districts submit the data as soon as possible because she is trying to get the report out sooner. Dr. Nelson commented that he has concerns with 4-ANPP, an illicit manufacturing product associated with fentanyl, being listed on the drug report as a cause of death. He advised that it is pharmacologically inactive and should not be listed as a cause death. Dr. Nelson stated that listing 4-ANPP as a cause of death would be misleading. Dr. Nelson advised that the Center for Disease Control and Prevention stated that there are a number of states that have issued death certificates indicating 4-ANPP associated with fentanyl as a cause of death. Dr. Nelson stated that 4-ANPP is clearly associated with fentanyl but it is a marker for the illicit manufacture of fentanyl and not something a reputable drug manufacture would have in the make of the drug itself. Dr. Nelson further commented that it would be beneficial for the Commission to change the way 4-ANPP is listed in the drug report to be in line with current scientific practice. A member of the audience asked how the CDC was coding 4-ANPP to which Dr. Nelson stated he was unsure.

A MOTION WAS MADE, SECONDED, AND PASSED UNANIMOUSLY THAT MOVING FORWARD 4-ANPP WILL NOT BE INDICATED IN THE DRUG REPORTS AS A CAUSE OF DEATH.

- 2021 Paul Coverdell Forensic Science Improvement Grant Program Status Update: Mrs. Ashley Williams reported that there are 16 districts participating in the grant and the allotment total is \$51,440. The awarded packages were emailed to the participating districts on May 17, 2022. Physical copies of the MOUs were mailed by the grant manager to participating districts on May 17, 2022. All participating districts are authorized to purchase items on their expenditure list. Mrs. Williams asked that districts continue to submit their reimbursement request, so far only 4 districts have submitted reimbursement requests.
- Nomination for District 8 Medical Examiner: Dr. Nelson informed the Commission that the District 8 Medical Examiner Dr. William F. Hamilton has retired and the District 8 Medical Examiner Search Committee has completed their search. Dr. Nelson advised that State Attorney Brian Kramer of the 8th circuit chaired the committee and it was advertised in a number of publications and there was only one application, Thomas Coyne, M.D. Dr. Coyne was interviewed and he is the committee's recommendation for the gubernatorial appointment for the District 8 Medical Examiner.

A MOTION WAS MADE, SECONDED, AND PASSED UNANIMOUSLY THAT DR. THOMAS COYNE IS THE RECOMMENDATION FOR THE GUBERNATORIAL APPOINTMENT FOR THE DISTRICT 8 MEDICAL EXAMINER.

ISSUE NUMBER 2: UNIDENTIFIED DECEASED INITIATIVE

Mrs. Williams reported the following success story from District 21:

After the skeletal remains of eight men were found back in 2007 in a wooded area of east Fort Myers, authorities have been working diligently to identify them. DNA analyses have helped authorities name three of the men and on Tuesday, they were able to identify a fourth man. His name was Robert Ronald "Bobbie" Soden, Fort Myers Police Department said in a news release. The Fort Myers Police Department Cold Case Unit said Soden was 30 when he was last heard from and investigators were able to tie him to the Fort Myers area around the time of his suspected death. The police department was able to locate relatives of Soden in New Jersey, North Carolina and Washington. In order to properly identify the remains, the cold case unit has been working with the Florida Department of Law Enforcement and Parabon Nanolabs, a private DNA analysis company. The company uses a genealogy research program that works with DNA collected from the skeletal remains, identifies a probable person and then investigators contact potential family members to complete the DNA comparison. It's believed that Soden could've been killed by a serial killer active in east Fort Myers in the 1990s. Police said Soden's remains were found in the same area as other victims. Daniel Conahan was known as the "Hog Trail Killer" and identified as a person of interest during the ongoing investigation, Fort Myers police said. Conahan is currently on death row in Florida for a Charlotte County murder in 1996. "Investigators submitted DNA profiles for each of the eight male skeletons to the University of North Texas Center for Human Identification," Fort Myers Police said. "The Database is a national clearinghouse for DNA profiles of missing persons and unidentified dead." Through DNA samples collected from family members of reported missing people, they have been able to identify three of the other skeletal remains in addition to that of Soden. Their names are Jonathan Tihay, Johnathan Blevins and Eric Kohler. "The investigation will not stop until all eight of the victims are identified and their families are notified," investigators say.

ISSUE NUMBER 3: EMERGING DRUGS

Bureau Chief Brett Kirkland, Ph.D., provided the Commission with an update on new drug trends on behalf of Bruce Goldberger, Ph.D. Mr. Kirkland informed the Commission that the toxicology laboratory directors met on Tuesday, October 25, 2022. Mr. Kirkland advised that illicitly manufactured fentanyl, and associated analogs including 4-ANPP, fluorofentanyl, and norfentanyl, are frequently identified in decedents. Cocaine and methamphetamine continue to surge in the state, particularly in combination with fentanyl. Xylazine is a veterinary central nervous system depressant, and when mixed with fentanyl, increases the likelihood of a fatal drug overdose. Also, N,N-Dimethylpentylone is the most prevalent cathinone in decedents. Laboratories should remain vigilant in regards to the emergence of other cathinones. The prevalence of nitazenes and designer benzodiazepines in decedents remains low in the state. The identification of a nitazene in a decedent is often tied to the identification of the analyte in evidence seized at the scene. Mr. Kirkland also informed that at the last commission meeting staff was asked to write a letter for the Attorney General in regards to the scheduling of designer benzodiazepines. Mr. Kirkland advised that along with the help from Dr. Goldberger and other lab directors, a letter was presented to Commissioner Nick Cox who then presented the letter to the Attorney General. Mr. Nick Cox stated that he has turned over the information to the Attorney General and that he was not sure of the status but could be advised that it is being actively worked.

ISSUE NUMBER 4: OTHER BUSINESS

- Mr. Kirkland reported that the 2023 FAME Educational Conference is scheduled to be held July 19-21, 2023 and will be held in Orlando at the Omni Hotel and Resort at Championsgate. The room rate will be \$189 per night. District 8 Medical Examiner will be co-hosting the conference.
- Dr. Nelson presented Commission Member and former Manatee County Commissioner Carol Whitmore with a signed resolution and read its contents into the record.

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, Honorable Carol Whitmore, R.N. was the elected County Commissioner for Manatee County in the State of Florida, where she served for sixteen years since she was initially elected in 2006.

WHEREAS, Honorable Carol Whitmore, R.N. was appointed to the Medical Examiners Commission in August 2013, where she has represented the concerns of Florida's County Commissioners over her term until she left her elected position and,

WHEREAS, Honorable Whitmore's years of experience in public service gave her keen insight and highly respected judgment concerning critical medical examiner activities within Florida, and

WHEREAS, Honorable Whitmore has not only earned the reputation of being an invaluable resource for the Medical Examiners Commission but she has, above all, earned the reputation of being respectful in her judgments and having boundless enthusiasm for the mission of the Commission.

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 Honorable Carol Whitmore, R.N. for her dedication, exemplary service, pleasant yet professional demeanor, and the invaluable guidance she has offered to Florida's district medical examiner system in her position as county commissioner representative on the Medical Examiners Commission.

PASSED AND RECORDED, in the official minutes of the Medical Examiners Commission meeting on this Friday, the 4th day of November, 2022, in Panama City Beach, Bay County, Florida.

- Commissioner Kenneth Jones provided the Commission with an update in regards to the ODA2 Funding. Mr. Jones stated that this is the last year that the Department of Health will be providing the ODA2 to medical examiners and the grant will end in August 2023. Mr. Jones stated that if districts are interested in participating they need to contact the Department of Health and apply.

With no further business to come before the Commission, the meeting was adjourned at 10:27 A.M.