

# Medical Examiners Commission Meeting

**August 10, 2018**

**AMENDED 8/6/2018**

Barbara C. Wolf, M.D. • Sheriff Harrell Reid • Kenneth T. Jones • Wesley H. Heidt,  
J.D. Jeffrey A. Siegmeister, J.D. • James S. Purdy, J.D. • Robin Giddens Sheppard, L.F.D.  
Stephen J. Nelson, M.A., M.D., F.C.A.P. • Carol Whitmore, R.N.

## MEDICAL EXAMINERS COMMISSION MEETING

Fairfield Inns and Suites by Marriott Daytona Beach  
1820 Checkered Flag Boulevard  
Daytona Beach, Florida  
August 10, 2018, 10:00 AM

AMENDED 8/3/2018

Opening Remarks

Introduction of Commission Members and Staff

Approval of Meeting Agenda and Minutes from previous Commission Meeting of May 4, 2018

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<u>ISSUE NUMBER</u>	<u>PRESENTER</u>
1. Informational Items:	
• Status Report: MEC Appointments and Reappointments	Vickie Koenig
• District 13 Medical Examiner	Stephen J. Nelson, M.D.
• Status Report: District 4 Medical Examiner	Stephen J. Nelson, M.D.
• Status Report: District 14 and 16 Appointment	Vickie Koenig
• Status Report: Reappointments for Districts 2, 5, 6, 8, 10, 12, And 18-24	Vickie Koenig
• 2017 Drugs Identified in Deceased Persons Report	Beth McNeil
• 2017 Annual Workload Report	Beth McNeil
• 2017 Coverdell Grant Status	Beth McNeil
• E-FORCSE Registration for Medical Examiners	Stephen J. Nelson, M.D.
2. District 7/24 Medical Examiner	Jon R. Thogmartin, M.D.
3. Pregnancy Associated Mortality Review Committee	Stephen J. Nelson, M.D.
4. Dept. of Health Strategic Planning Oversight Team	Jim Martin
5. Florida Cold Case Advisory Commission	Barbara C. Wolf, M.D. Sheriff Sadie Darnell
6. Department of Health Opioid Project	Karen Card, DrPH Joshua Sturms
7. Unidentified Deceased Initiative	Doug Culbertson
8. DOE Network	Holly Medearis Haines
9. Emerging Drugs	Bruce A. Goldberger, Ph.D.
10. 2018 FAME Educational Conference Recap	Bruce A. Goldberger, Ph.D.
11. Solicitation for 2019 FAME Educational Conference	Bruce A. Goldberger, Ph.D.
12. Other Business	

## **MEDICAL EXAMINERS COMMISSION MEETING**

Sandestin Golf and Beach Resort  
9300 Emerald Coast Parkway  
Miramar Beach, Florida 32550  
May 4, 2018 10:00 AM CDT

Chairman Stephen J. Nelson, M.D. called the meeting of the Medical Examiners Commission to order at **10:00 AM CDT**. 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 Medical Examiner  
Wesley H. Heidt, J.D., Office of the Attorney General  
Robin Giddens Sheppard, L.F.D., Funeral Director  
Kenneth T. Jones, State Registrar, Department of Health  
Hon. Jeffrey Siegmeister, State Attorney, Third Judicial Circuit  
Hon. Harrell Reid, Hamilton County Sheriff (via Teleconference)  
Hon. Carol R. Whitmore, R.N., Manatee County Commissioner (via Teleconference)

### **Commission Members Not Present:**

Hon. James S. Purdy, J.D., Public Defender, 7<sup>th</sup> Judicial Circuit

### **Commission staff present:**

Vickie Koenig	Doug Culbertson
Beth McNeil	James D. Martin, J.D.

### **District Medical Examiners present:**

Andrea Minyard, M.D. (District 1)	Jay Radtke, M.D. (District 14)
Craig Mallak, M.D. (District 17)	

### **Other District personnel present:**

Lisa Flannagan, M.D. (District 2)	Jeff Martin (District 1)
Lindsey Bayer (District 5)	Whit Majors (District 14)
Kayla Mitchell (District 14)	

### **Guests present:**

Linda Pollard (FDLE)	Brendie Hawkins (FDLE)
Jonathan Rigsby (FDLE)	Eric Yopp (FDLE)
Dean Register (FDLE)	Cory Hebert (RTI)
Shannon Tate (Okaloosa County SO)	Major Donald Clark (Walton County SO)
Capt. Doug Brugmans (Santa Rosa Co. SO)	Hon. Larry Ashley (Okaloosa County Sheriff)
J. D. Peacock (Okaloosa Co. Clerk of Courts)	Hon. Graham Fountain (Okaloosa County BOCC)
Shirley Balanis (Lions Eye Institute)	Jack Massy (FDLE)
Mike Jackson (Escambia County SO)	Mike Gilmore (Escambia County SO)
Kathryn Miyor (Florida Dept. of State)	Joshua Sturms (Florida Dept. of Health)
Randolph Schilke (Florida Dept. of Health)	Karen Card, Ph.D. (Florida Dept. of Health)

**A MOTION WAS MADE, SECONDED, AND PASSED UNANIMOUSLY FOR THE COMMISSION TO APPROVE THE AGENDA AS AMENDED ON MAY 2, 2018.**

**A MOTION WAS MADE, SECONDED, AND PASSED UNANIMOUSLY FOR THE COMMISSION TO APPROVE THE MINUTES OF THE FEBRUARY 16, 2018 MEDICAL EXAMINERS COMMISSION MEETING.**

**ISSUE NUMBER 1: INFORMATIONAL ITEMS**

- Dr. Nelson informed the Commission that District 9/25 Associate Medical Examiner Sarah H. Zydowicz, D.O. was appointed as the District Medical Examiner for districts 7 (Volusia county) and 24 (Seminole county).
- Dr. Nelson informed the Commission that District 4 Medical Examiner, Valerie J. Rao, M.D. is retiring effective July 6, 2018. Dr. Nelson will send letters to the 4<sup>th</sup> and 3<sup>rd</sup> Judicial Circuit State Attorneys informing them of the need to appoint a Search Committee to make a recommendation for a new medical examiner to the Commission.
- Ms. Vickie Koenig informed the Commission that the District Medical Examiner, the Licensed Funeral Director (LFD), and the County Commissioner positions on the Commission remain pending appointment by the Governor. The Public Defender position on the Commission is also pending the Governor's appointment, and Mr. Purdy will continue to serve as the Public Defender representative until that appointment is made.
- The District Medical Examiners in District 8 (Alachua, Baker, Bradford, Gilchrist, Levy, and Union counties), District 10 (Hardee, Highlands, and Polk counties), District 12 (DeSoto, Manatee, and Sarasota counties), District 18 (Brevard county), District 19 (Indian River, Martin, Okeechobee, and St. Lucie counties), District 20 (Collier county), District 21 (Glades, Hendry, and Lee counties), District 22 (Charlotte county), and District 23 (Flagler, Putnam, and St. Johns counties) are pending reappointment by the Governor. The incumbent District Medical Examiners continue to serve until reappointed or replaced by the Governor.
- The recommendations of Jay M. Radtke, M.D., as District Medical Examiner in District 14 (Bay, Calhoun, Gulf, Holmes, Jackson, and Washington counties), and Michael R. Steckbauer, M.D., as District Medical Examiner in District 16 (Monroe county) are also pending appointment by the Governor.
- 2017 Interim Drugs in Deceased Persons Report – Ms. Beth McNeil announced that the report was released in April 2018.
- 2017 The Paul Coverdell Forensic Science Improvement Grants Program Status Update – Ms. McNeil advised the Commission that funds were released by the National Institute of Justice (NIJ) for the 2017 Coverdell Grant and award packages were sent in to the districts in March. A total of \$42,901 was provided to 17 districts. She reminded the district to submit their reimbursement paperwork.
- 2017 Annual Reports Reminder – Ms. McNeil reminded everyone that the data deadline for the 2017 Annual Workload and 2017 Annual Drugs in Deceased Persons reports is June 30, 2018.

Because of the length of time for quality checks, she requested that the districts provide their data as soon as it was complete and not wait until the submission deadline.

- 2018 Legislative Session – Mr. Jim Martin informed the Commission the following bills of interest passed during the 2018 Legislative Session:

Controlled Substance Prescribing – PDMP – This provides medical examiners with indirect access to the Prescription Drug Monitoring Program. Medical examiners conducting an authorized investigation pursuant to s. 406.11, F.S., may request information from the PDMP through a program manager within the Department of Health. It was signed by the Governor on March 19<sup>th</sup>, becoming Chapter 2018-013, Laws of Florida, with an effective date of July 1, 2018.

Varnadoe Forensic Research Center – This project establishes a forensic anthropology research facility in Pasco County. It was included in the final budget approved by the Governor.

## **ISSUE NUMBER 2: REAPPOINTMENT NOMINATIONS FOR DISTRICTS 1, 2, 5 and 6, AND ASSESSMENT FOR DISTRICT 3**

The Commission reviewed the constituent surveys for the reappointments of district medical examiners in District 1 (Escambia, Okaloosa, Santa Rosa, and Walton counties), District 2 (Franklin, Gadsden, Jefferson, Leon, Liberty, Taylor, and Wakulla counties), District 5 (Citrus, Hernando, Lake, Marion, and Sumter counties), and District 6 (Pasco and Pinellas counties).

District 3 (Columbia, Hamilton, Lafayette, Madison, and Suwannee counties) is serviced by Districts 2 and 4 and the constituents of these counties received assessments for the services provided. District 4 Medical Examiner Valerie J. Rao, M.D., is retiring in early July 2018, and was not considered for reappointment. Additionally, District 7 is Home Rule and appointed a new medical examiner (Sara H. Zydowicz, D.O.) effective April 2, 2018, so assessments were not provided to that district.

Several Commission members expressed concerns with the survey results received in District 1; especially that three of the four sheriffs had provided unfavorable recommendations. The Commission opened the floor for discussion regarding the reappointment of District 1 Medical Examiner, Andrea N. Minyard, M.D.

Okaloosa County Sheriff Larry Ashley addressed the Commission and provided a brief historical overview from his perspective relating to the medical examiner services provided. Between 2011 and 2012, all four sheriffs and the State Attorney met to discuss concerns with slow response times from the medical examiner's office, delays in body recoveries, and autopsies not being performed. Based on discussions with Dr. Minyard, all four sheriffs lobbied their respective county commissions to increase the medical examiner's budget in an effort to address these concerns.

In 2015, when the Commission again was soliciting feedback for reappointment of Dr. Minyard, Sheriff Ashley stated he initially provided an unfavorable recommendation as the issues identified in 2011-2012 had not been addressed. He met with Dr. Minyard to express his concerns, and she stated that she would look into centralizing the medical examiner's office in the circuit. As the Fort Walton Beach medical examiner facility in Okaloosa County was unusable, Dr. Minyard would hire more staff to include an Associate Medical Examiner, but she would need additional funding. Sheriff Ashley stated that he again lobbied the County Commission to again increase the medical examiner's budget.

Sheriff Ashley went on to say that 3 years later in 2018, nothing has changed. The issues and concerns expressed in 2011-2012 and 2015 are still present. Despite more funding, there is no Associate Medical Examiner, the office is still located in the most Western part of the Circuit (Pensacola) with no indication of relocation or opening a satellite office in the Eastern part of the Circuit, response times to scenes are slow or no response at all, and cases are being declined that are suspicious or drug overdoses. Sheriff Ashley stated that Dr. Minyard told the Okaloosa Board of County Commissioners that she was not a public official. In summary, Sheriff Ashley stated that while Dr. Minyard is a competent pathologist, he has lost trust in her. Dr. Nelson stated for the record that Dr. Minyard and all District Medical Examiners are public officials. Dr. Nelson asked Sheriff Ashley to provide Commission staff with the Sheriff's Office case numbers of those calls-for-service where medical examiner jurisdiction was declined in suspicious deaths.

Okaloosa County Comptroller and Clerk of Courts J.D. Peacock stated the he is working with the other three counties (Escambia, Santa Rosa, and Walton) to conduct an internal audit of the funding of the medical examiner's office. Each county has been paying for services without knowledge of the other counties funding. However, he has had issues in obtaining the documents necessary to conduct the audit. Once those documents are received, the audit should conclude within a couple of months.

Okaloosa County Board of County Commissioners Chairman Hon. Graham Fountain said that this is not a good situation. He stated that the counties are partially to blame in that they have not been watchful of the funds they appropriated to the District Medical Examiner. Mr. Fountain stated that funds are in the current budget to lease space for a centralized or satellite facility. He is willing to work with Dr. Minyard to find space. Mr. Fountain also stated that future contracts would be handled differently and would hopefully have a single managing county to coordinate between the four counties in the circuit.

Dr. Minyard's attorney, T.A. "Ted" Borowski Jr., stated that Dr. Minyard never told the county they cannot have the documents they have requested to support the contract. The contract is composed of 3-4 categories that are actual reimbursement of expenditures and professional fees. The professional fees are a flat rate charged for autopsies and other work performed by the pathologists. This will be the same fee regardless of the number of autopsies, external examinations, or case investigations performed, so in the event of a hurricane, the fees paid by the counties will not increase. Mr. Borowski stated that how Dr. Minyard spends the money she receives through the professional fees is her business, just as salary received by any other employee. He stated the issue of contention with the counties is how much Dr. Minyard is compensated.

Walton County Sheriff's Office Major Donald Clark was present on behalf of Sheriff Michael Adkinson. He stated the Walton County SO has the same basic concerns outlined by Sheriff Ashley. He would also provide staff with the case numbers for jurisdiction declined suspicious deaths.

Santa Rosa County Sheriff's Office Captain Doug Brugmans was present on behalf of Sheriff Robert Johnson. He stated that Sheriff Johnson is also concerned with the monetary and transparency issues of the medical examiner's office.

Dr. Minyard stated that misinformation regarding her fees is rampant. She has offered to renegotiate her contract with the counties. The current contract includes pass-through costs that are line item reimbursements. The professional fees cover the cost for the pathologists. She had an Associate Medical Examiner from 2015 through late 2017. She hopes to have new Associate Medical Examiner in July. Dr. Minyard stated she is good with either a single medical examiner facility located centrally in Santa Rosa County, or another satellite facility in Okaloosa County. She further stated that she was planning on taking Dr. Nelson's advice to increase communication with the district constituents.

Dr. Minyard indicated that 77% of Okaloosa County Sheriff's Office cases are accepted. Additionally her policy is that the office will accept all cases without an established medical history. Dr. Nelson asked if all jurisdiction declined cases were reviewed by a medical examiner. Dr. Minyard indicated that all but the hospice cases were reviewed by a medical examiner. Dr. Nelson stated that all jurisdiction declined cases (including hospice cases) should be reviewed by the District or Associate Medical Examiner and not only an investigator or office personnel.

Dr. Minyard concluded by stating that she was willing to continue to serve as District Medical Examiner so that there would be no interruption of services regardless of the outcome today, and that she welcomed the audits and would provide the financial documents as requested.

Dr. Wolf commented that the sheriffs had several cases that the Commission needs to review prior to making any decision.

Mr. Wesley H. Heidt stated that in addition to those cases, the audit being conducted by the counties needs to be completed, provided they are given the necessary documents. Dr. Nelson asked Dr. Minyard if everything was run through her Professional Association (P.A.) and she indicated it was. Dr. Nelson requested that she provide those requested P.A. tax returns to the counties by the end of the next week (May 11, 2018).

**A MOTION WAS MADE, SECONDED AND PASSED UNANIMOUSLY TO TABLE DR. MINYARD'S REAPPOINTMENT DECISION UNTIL THE NEXT COMMISSION MEETING.**

This would allow the Commission an opportunity to review information relating to cases where jurisdiction was declined, allow the counties to complete their audit, and allow the Commission to review those findings. Additionally, Dr. Nelson agreed to participate in a committee made up of the First Circuit State Attorney, the four Sheriffs, and representatives from the four county commissions to discuss possible resolutions of their concerns with the District 1 Medical Examiner before the Medical Examiners Commission will make a decision on reappointment.

The Commission reviewed the reappointment surveys for Districts 2, 5, and 6, and voted separately on each district. Mr. Siegmeister indicated that he was in favor of the reappointment of Dr. Stewart in District 2, and apologized for not returning his ballot prior to the meeting.

**WITH NO FURTHER DISCUSSION, A MOTION WAS MADE, SECONDED AND PASSED UNANIMOUSLY TO RECOMMEND THE GOVERNOR REAPPOINT DAVID T. STEWART, M.D., AS THE DISTRICT 2 MEDICAL EXAMINER. NO OTHER NAMES WERE SUBMITTED FOR CONSIDERATION IN THIS DISTRICT.**

**WITH NO FURTHER DISCUSSION, A MOTION WAS MADE, SECONDED AND PASSED TO RECOMMEND THE GOVERNOR REAPPOINT BARBARA C. WOLF, M.D., AS THE DISTRICT 5 MEDICAL EXAMINER. NO OTHER NAMES WERE SUBMITTED FOR CONSIDERATION IN THIS DISTRICT.** Dr. Wolf recused herself from this vote.

**WITH NO FURTHER DISCUSSION, A MOTION WAS MADE, SECONDED AND PASSED UNANIMOUSLY TO RECOMMEND THE GOVERNOR REAPPOINT JON R. THOGMARTIN, M.D., AS THE DISTRICT 6 MEDICAL EXAMINER. NO OTHER NAMES WERE SUBMITTED FOR CONSIDERATION IN THIS DISTRICT.**

The Commission also reviewed the survey assessments for District 3 (Columbia, Hamilton, Lafayette, Madison, and Suwannee counties).

### **ISSUE NUMBER 3: DISTRICT 7 PROBABLE CAUSE PANEL REPORT**

Dr. Wolf read the Probable Cause Panel Report from February 13, 2018 into the record. Since former District 7 Medical Examiner, Marie A. Herrmann, M.D., is no longer an appointed medical examiner, no Commission action was taken.

In response to your memorandum of December 11, 2017, the Probable Cause Panel convened on February 8, 2018 at 10:00 a.m. at the Third Judicial Circuit State Attorney's Office in Live Oak, Florida. Panel members District 5 Medical Examiner Barbara C. Wolf, M.D., Third Judicial Circuit State Attorney Jeff Siegmeister, and Funeral Director Robin Giddens Sheppard were all present. Also present were Commission staff members Vickie Koenig, Doug Culbertson, and Beth McNeil. Staff had already mailed the panel members a notebook of their findings and the reference materials upon which they would base their opinions.

The first order of business was the election of a chair, which Dr. Wolf accepted. Next, the Panel reviewed the statutory reference that established the Panel as well as the procedures that the Panel and the Commission will use in these proceedings. The authority of the Probable Cause Panel is established by Section 406.075(3), F.S., and is limited to a determination of whether the facts establish a violation of Chapter 406, Florida Statutes, Florida Administrative Code Chapter 11G, or the Practice Guidelines. Dr. Wolf then reviewed the reference material previously forwarded to the Panel members.

Dr. Wolf stated that the complaint alleges that Dr. Herrmann only conducted a visual inspection of Kayla Davis' body rather than an autopsy even though the family stated that they felt Ms. Davis died under suspicious circumstances, and that Dr. Herrmann failed to document a head wound that was present on the back of Ms. Davis' head. The complaint further alleged that Dr. Herrmann violated Chapter 119, F.S., by failing to provide records that the family had deemed to be public records.

The Panel discussed the complaint in detail, including any possible Florida Statute or Administrative Rule violations regarding Dr. Herrmann's actions in this case pertaining to the complainant's allegations that she violated one or more of the following:

- §406.075(1)(i), F.S., which states in part, "*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*".
- Rule 11G-2.003(5)(a), F.A.C., which states "*Absent good cause, an autopsy shall be performed when a reasonable suspicion exists that a death might be by criminal violence or by any violence sustained in prison, a penal institution, or in police custody*".
- Article 24, #4 of the Practice Guidelines for Florida Medical Examiners, incorporated by reference into Rule 11G-2.006, F.A.C., which states, "*Wounds that have evidentiary value, whether recent or remote, should be documented by written protocol, diagram and photography. Photographs should be composed so as to document the location and orientation of wounds and to demonstrate detail*".

After extensive discussion, the Panel made the following determinations:

The complainant alleges that Dr. Herrmann intentionally or unintentionally violated Rule 11G-2.003(5)(a), F.A.C., by declining to perform an autopsy on Kayla Davis in spite of the death being reported as potentially suspicious in nature. The Panel determined that Dr. Herrmann did violate this rule by failing to perform an autopsy when the death was reported as suspicious in nature.



Further, the Panel determined that Dr. Herrmann violated §406.075(1)(i), F.S., by failing to provide that level of care or skill that is recognized by reasonably prudent medical examiners as being acceptable under similar conditions and circumstances by failing to conduct an autopsy in a death that was reported as being potentially suspicious in nature.

The Panel reviewed the documents provided by District 7 and determined that the small marking on the back of the head on the body diagram was not labeled, nor did it meet the requirement of Article 24, #4 of the Practice Guidelines for Florida Medical Examiners. The Panel noted that, while all other wounds on the body were noted and labeled, the mark on the back of the head was not labeled, did not appear to be indicative of a wound, and was not noted in the Report of Postmortem Examination, as were the other wounds on the body diagram.

The Panel also discussed the alleged violation of Chapter 119, F.S., regarding public records and determined that there is no provision in Chapter 119, F.S. that requires creating a record in order to satisfy a public records request. Since the requested record did not exist, Dr. Herrmann was under no obligation to create a record in order to satisfy the request.

### **Conclusions**

The Panel found that there was probable cause for disciplinary action regarding the complaint lodged against Dr. Marie A. Herrmann. The Panel felt that neglecting to perform an autopsy on the body of Ms. Davis, even though the death had been reported as potentially suspicious in nature, was a direct violation of Rule 11G-2.003(5)(a), F.A.C. The Panel also felt that this failure constituted 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, in violation of s. 406.075(1)(i), F.S.

The Panel further found that the lack of documentation of the wound to the back of the head was a violation of Article 24, #4 of the Practice Guidelines for Florida Medical Examiners as it was not noted as a wound or injury in the report and the marking on the body diagram was not sufficient to qualify as proper documentation.

It was noted that Dr. Herrmann did not respond to an inquiry by the family for almost 4 years after their request was sent, and that she did not adequately answer the family's questions. While this was not a violation of Rule or Statute, the Panel felt better communication with family members should have been attempted.

The Panel recommends that the Commission issue a written reprimand to Dr. Herrmann for the aforementioned violations, and that the reprimand should include a suggestion for better communications with the families of decedents in the future.

The Panel is prepared to discuss this matter and the reasoning behind their conclusions at a future Commission meeting. In the meantime, please contact staff if you have any questions or if the panel can be of further assistance.

Ms. Koenig then read the following statement into the record at the request of the family of Kayla Davis:

Dear Medical Examiners Commission:

My name is Debbie Cicerello, and on October 23, 2017 I sent a complaint letter to Doug Culbertson MEC regarding the incompetency and neglect of duty of Medical Examiner Marie Herrmann in the chain of events surrounding the death of my daughter, Kayla Davis.

I feel that Marie Herrmann (CME) was negligent in the following critical areas:

- Negligence or the failure to perform the duties required of a Medical Examiner and failure to conduct a thorough investigation into the death of Kayla Davis.
- Refusal to respond to the family's requests for records, answers to open questions, and request for a meeting to discuss the reasoning for her failure to perform her duties.
- Ignoring the family's plea to perform a full autopsy on Kayla despite the suspicious nature of the incident and information contained in the hospital's medical documentation. For unknown reasons, a conversation with Daytona Beach Police Department (DBPD) influenced her decision to not perform an autopsy that even the lead forensic investigator Chris Smith had requested.

A Medical Examiners Commission was convened to decide whether or not this case reached the level of probable cause and whether there should be disciplinary action against the medical examiner. After reviewing our information and all the documents that were sent in that there was a findings (sic) of Probable Cause by the Panel and an upcoming meeting to address disciplinary action against her.

However, surprisingly on Jan 21, 2018, an article with Daytona Beach News-Journal stated that Marie Herrmann had announced her intent to retire. It is my and others opinion, that Dr. Herrmann sent her letter of resignation so that there would not be an opportunity for a PC panel to discuss the complaint. What she hadn't counted on was that the article also mentioned that she had agreed to remain employed in a part time capacity, and based on this fact it was determined that MEC could still move forward with the Probable Cause Panel.

The "Probable Cause Panel" met on February 8, 2018 and agreed that the CME was negligent in her performance of the duties required of a Medical Examiner. They noted that Dr. Herrmann only conducted a visual inspection of our daughter's body rather than an autopsy, even though we requested a full autopsy because of the suspicious circumstances regarding Kayla's death. She also failed to document a specific wound on the back of Kayla's head that was the primary cause of Kayla's death.

It was a small consolation for the family to receive the letter dated February 13, 2018, from the State of Florida MEC with the memorandum confirming Dr. Herrmann's negligence. Even this was short-lived, however, because when she received her copy of the findings she amended her letter of resignation to be effective March 9, 2018. So once again I was told that MEC has no jurisdiction over Ms. Herrmann and will not be able to take any disciplinary actions against her at this committee board meeting.

When I shared my disappointment with Mr. Culbertson, he informed me that the memo will still be brought up at the end of the meeting, and that if I wanted to attend the meeting that I was welcome. I was prepared to do so until I realized the location was a 4-plus hour drive, and being disabled with MS-related cognitive issues it was simply too much for me. Mr. Culbertson was

kind enough to allow me to offer this statement to be sure that the information is included in the public record.

Since the MEC is not going to be able to take further action, I also sent a formal complaint to Florida Health. Ms. Aliza Hopkins was assigned as the lead investigator for their medical quality assurance group. Initially she seemed positive that actions could be brought up against Dr. Herrmann. However, she subsequently contacted me after she brought the issue to their legal department and informed me that she was sorry, but after reviewing our information, because Dr. Herrmann was practicing in the capacity of a ME that Florida Health does not have jurisdiction over her. I was confused and asked if she could clarify this information and help me to understand, because according to FDLE MEC she is no longer affiliated with them in any capacity, and therefore Florida Health does appear to have authority to take action. Apparently there is no such similar grounds for discipline under the Medical Practice Act governing Dr. Herrmann's license to practice medicine.

You simply cannot imagine how disheartening and devastating this "catch 22" situation, that is allowing Dr. Herrmann to escape any type of recrimination, is to me and Kayla's family.

The Medical Examiners Commission found probable cause of a violation of the Medical Examiners Act, is supposed to be responsible for imposing discipline for that violation, and yet cannot do so due to Ms. Hermann's current retired status as a medical examiner.

### **A complete circle!**

It should be recognized in the strongest of terms that our family is disheartened by the response from MEC and Florida Health tolerating a tactic in which one of its members can purposely and strategically avoid consequences for rule violations by simply resigning their position.

Since the Florida Health medical board places jurisdiction for discipline and enforcement of rules and regulations for medical examiners under the Commission then it should follow that in cases like this that the commission have options to transfer the jurisdiction back to Florida Health and/or Law Enforcement for discipline and/or criminal prosecution where appropriate for malfeasance.

My family and I have been changed forever by the untimely and unjustified death of our daughter Kayla. Medical Examiner Marie Herrmann's inappropriate diagnosis process, procedures, and evaluation of the facts negligently compounded to the untimely death of my daughter and had a direct result on the family's ability to pursue justice for her. She then repeatedly failed to respond or to honor even the simplest requests from the family to provide an explanation of the above discrepancies.

Kayla is not just another number, another name to clear, she deserved so much more from the "system" than she has received.

I want to thank Mr. Culbertson for reading my statement, and request this included in the public meeting notes.

Debbie Cicerello and Family

Ms. Koenig advised that should Dr. Herrmann be appointed or reappointed as a medical examiner in the future, this action would be brought back to the Commission for action.

#### **ISSUE NUMBER 4: ARCHEOLOGICAL/HISTORIC HUMAN REMAINS IDENTIFICATION**

Kathryn O'Donnell Miyar, Ph.D., with the Florida Department of State's Division of Historical Resources presented an overview of the Bureau of Archeological Research, and discussed the retrieval of remains from burial mounds, historical cemeteries, and how human remains are curated. The Commission agreed that any remains found that are 75 years or older are the domain of the Bureau of Archeological Research.

#### **ISSUE NUMBER 5: UNIDENTIFIED DECEASED INITIATIVE**

Doug Culbertson informed the Commission of a success story from District 17 (Broward County).

The decedent was found in a parking lot in the city of Fort Lauderdale on April 30, 2003, in an advanced state of decomposition. One fingerprint was obtained from the decedent and was run through the FCIC/NCIC systems with no results. The Fort Lauderdale Police Department investigated local missing persons reports and entered the available information into the NCIC teletype system. A note was found among the decedent's effects, written in a foreign language that was later determined to be the Serbo-Croatian dialect. The information obtained from the note at the time did not reportedly generate any leads on the decedent's identification.

In 2010, the decedent's information was entered in to the Unidentified Persons section of the NAMUS website by Broward Medical Examiner Investigator Wendy Crane. A copy of the note was also uploaded onto the site with permissions set for the public to be able to view it.

In 2017, a phone call was received from a family member of Zulejha Visnjic, who had reportedly not been heard from since early 2003. Ms. Visnjic, who resided in the Hollywood area, told family that she was going to Canada to visit and/ or reside with family there. The family member stated that he had viewed the details of the unidentified persons case and the note on the NAMUS website. Reportedly, the handwriting was familiar, and it specifically referenced names of family members. Additionally, he stated that the decedent had immigrated to this country from Bosnia.

The fingerprint that was obtained from the decedent in 2003 was sent to US-VISIT to be run against US immigration records, but no identification resulted. US-VISIT fingerprint analyst reported that the decedent likely immigrated prior to the automated system, and her fingerprint hardcopy could not be located. A decision was made to make contact with the decedent's daughter, Zana, to obtain a sample for DNA comparison. Investigator Crane contacted Carrie Sutherland of NAMUS for assistance in obtaining a buccal swab from Zana, who resided in Indiana. The NAMUS manager in the Midwest region was able to coordinate the submission of Zana Visnjic's DNA to UNT lab for comparison with the remains in this case.

On February 28, 2018, communication was received that Zana Visnjic was confirmed to be a maternal relative of the remains, which were identified as Zulejha Visnjic. Investigator Crane contacted Ms. Zana Visnjic to advise her of the DNA results and unfortunately confirm her mother's death.

FDLE Inspector Linda Pollard presented nine success stories to the Commission. The Missing and Endangered Persons Information Clearinghouse (MEPIC) section has made 17 identifications since beginning medical examiner office visits to assess the status of that district's unidentified deceased and to ensure that all information has been entered into NAMUS. This process began in 2017.

### **Success Story 9**

Identification was made on District 8 Medical Examiner Case #ME08-150. This case involved a deceased white male, approximately 35 to 59 years of age, who was found floating in the Gulf of Mexico, 30 miles from Yankeetown, Levy County, Florida. The manner and cause of death is still pending further investigation. On February 26, 2018, the District 8 Medical Examiner's Office provided Inspector Pollard with the fingerprint cards for their unidentified person. The fingerprint cards were submitted to FDLE's CJIS Biometric Services, however no identification was made at the time.

On March 6, 2018, Inspector Pollard provided the deceased's fingerprint cards to Kim Cashwell, Identification Manager for the Hillsborough County Sheriff's Office (HCSO). Ms. Cashwell had been contacted by NAMUS in reference to conducting a direct fingerprint comparison between this unidentified person and an HCSO missing person that NamUs believed could be a match. Ms. Cashwell contacted Inspector Pollard and advised that the unidentified person was not a match to her missing person. However, during the course of the fingerprint analysis, Ms. Cashwell came across a potential match, Robert Mitchell Howard. Inspector Pollard provided this information to CJIS Fingerprint Analyst James Pollock and requested that he conduct a direct comparison between the unidentified person's fingerprints and Robert Mitchell Howard's fingerprints. After reviewing the prints, Fingerprint Analyst Pollock advised that the deceased's prints were identified with Robert Mitchell Howard.

Senior Crime Intelligence Analyst (SCIA) Jon Rigsby conducted database searches on Howard and found that Howard was never entered as a missing person in NCIC. SCIA Rigsby was able to obtain an arrest report, booking photograph and Florida Driver's License photographs of Howard to provide to the Medical Examiner's Office. SCIA Rigsby was also able to obtain information on potential next of kin, which was also provided to the Medical Examiner's Office.

### **Success Story 10**

SCIA Rigsby was able to make an identification on District 1 Medical Examiner Case #1990-00396. SCIA Rigsby has been working a project to identify any fingerprint cards that may be available on cases pertaining to unidentified remains. SCIA Rigsby contacted the District 1 Medical Examiner's Office to determine if they had a fingerprint card available for the above mentioned case. During the course of the search, SCIA Rigsby was informed by the Medical Examiner's Office that the Escambia County Sheriff's Office had apparently identified the deceased through fingerprints a few years ago, but had failed to provide the Medical Examiner's Office with the information on the identification.

### **Success Story 11**

On March 26, 2018, the District 25 Medical Examiner's Office (Osceola) contacted FDLE in reference to an unidentified deceased case, ME17-01266. The case involved a white male who was found fully decomposed in his hotel room on April 17, 2017. The deceased had a medical history of coronary artery disease, tachycardia, and chronic back pain. He also suffered head trauma from falling in the bathroom. The Osceola County Sheriff's Office (OCSO) investigated the case. OCSO tentatively identified the subject on scene with his hotel registration and a copy of a Florida identification card in the name of J. R. Kennedy. OCSO ran the deceased's fingerprints; however no identification was made. OCSO was also unable to locate any information on the subject's next of kin. The District 25 MEO requested assistance from FDLE in identifying the deceased and locating next of kin.

SCIA Rigsby searched the Florida Driver and Vehicle Information Database (DAVID) on J. R. Kennedy, DOB: 3/02/1953. During the course of his search, SCIA Rigsby located documents in DAVID which showed that J. R. Kennedy was actually born Eliot Steven Berkowitz. In September 2013, Berkowitz legally changed his name in the State of Washington to J. R. Kennedy. Inspector Pollard requested SCIA Rigsby conduct a criminal history search on Berkowitz to determine if he had any prior arrests and may have been fingerprinted. SCIA Rigsby ran the subject's criminal history and found that he had prior arrests and provided Inspector Pollard with an FBI number. On March 26, 2018, Inspector Pollard submitted a request to FDLE's CJIS Biometric Services Unit to conduct a direct comparison of the unidentified deceased person's fingerprints to those of Berkowitz. On March 28, 2018, CJIS advised that the unidentified deceased person's prints were identified with Eliot Steven Berkowitz.

SCIA Rigsby conducted database checks on Berkowitz and was able to locate information on Berkowitz's next of kin. SCIA Rigsby also found that Berkowitz was a lawyer and was formerly registered with the Florida BAR. The fingerprint hit confirmation and information obtained by SCIA Rigsby was provided to the District 25 Medical Examiner's Office and they accepted the identification.

#### **Success Story 12**

On March 6, 2018, Inspector Pollard received a set of fingerprints pertaining to an unidentified deceased person from the District 11 Medical Examiner's Office (Miami-Dade County). The deceased was a black male, approximately 18 to 44 years of age, who was found on April 24, 1999 floating in a canal in Miami-Dade County. On March 29, 2018, Inspector Pollard submitted the deceased's fingerprints to the Department of Homeland Security for searching. The prints had previously been run through state and federal fingerprint databases and no identification had been made. The Department of Homeland Security advised that the deceased's fingerprints were identified with Jean Remy Bazile, a Haitian national. SCIA Rigsby was able to obtain a Florida Driver's License record and an arrest report and booking photograph of the subject to provide to the Medical Examiner's Office. SCIA Rigsby attempted to locate information on the subject's next of kin; however, the subject had no living next of kin in the United States. On April 16, 2018, Inspector Pollard provided the District 11 Medical Examiner's Office with the information on the fingerprint hit and they accepted the identification. The Medical Examiner's Office will be contacting the Consulate of Haiti for further assistance in identifying and notifying the subject's next of kin.

#### **Success Story 13**

Identification was made on a case from the District 9 Medical Examiner's Office (Orange County), ME # 2012-001519. This case involved a white, Hispanic male, who was found deceased on December 10, 2012 as a result of being struck by a motor vehicle in Orlando, Florida. On November 29, 2017, MEPIC received the decedent's fingerprints from the Medical Examiner's Office and ran the prints through the state, federal and Department of Homeland Security fingerprint databases, but no identifications were made. On March 29, 2018, the decedent's prints were submitted to the United States Customs and Border Patrol Missing Migrant Program and the prints were identified with Artemio Guzman-Velazquez, a Mexican national. SCIA Rigsby was able to obtain an arrest report and booking photograph of the subject from the Taft Police Department in California to assist with the identification. On April 17, 2018, Inspector Pollard provided the information regarding the fingerprint hit and associated documents to the District 9 Medical Examiner's Office and they accepted the identification. The Orlando Police Department is currently working with the Consulate of Mexico to locate and notify the next of kin.

#### **Success Story 14**

Another identification was made in a case from the District 10 Medical Examiner's Office. This case was identified via an extract of all available NAMUS cases which pinpointed cases with available fingerprints not uploaded to NAMUS. The deceased is a Hispanic male, believed to be between 18 and 30 years of age who died in a motor vehicle crash. The subject's right hand could not be fingerprinted due to burns, but the left hand contained viable fingerprints.

On April 13, 2018, we received a high resolution scan of a fingerprint card associated with the case. This card was submitted to CJIS Biometric services with negative results. The fingerprints were then submitted to the Department of Homeland Security on April 18, 2018, and the fingerprints were identified with Javier Pablo-Tepec, a Mexican national. Contact with Immigration and Customs Enforcement (ICE) confirmed the subject's hometown in Mexico, as well as his mother's and father's names. No other information about the subject's time in the United States could be located, and the deceased may have resided in the US using a fictitious identity. This information was provided to the Medical Examiner's Office, which accepted the identification.

#### **Success Story 15**

Identification was made on a case from the District 22 Medical Examiner's Office (Charlotte County). This case was identified via an extract of all available NAMUS cases which pinpointed cases with available fingerprints not uploaded into NAMUS. The deceased is a white, Hispanic male, between 40 to 60 years of age, who was found deceased on April 11, 2005 as a result of multiple injuries from a motor vehicle accident.

On April 17, 2018, we obtained and submitted the decedent's fingerprint cards to the Department of Homeland Security's Biometric Support Center. On April 20, 2018, the fingerprints were identified with Luis Alberto Moncada-Varela, a Honduran national. Information obtained from the United States Customs and Border Patrol provided further information on the subject's mother and his last known address in Honduras. Border Patrol was also able to provide a booking photograph of the subject from his illegal entry arrest in 2004. This information was provided to the District 22 Medical Examiner's Office, which accepted the identification. The District 22 Medical Examiner's Office will be working with the Florida Highway Patrol and the Consulate of Honduras to make the death notification.

#### **Success Story 16**

This case is from the District 21 Medical Examiner's Office (Lee County). The case involved a white, Hispanic male, between 21 to 35 years of age, who was found deceased on January 1, 1989. This individual was a victim of a homicide and succumbed from exsanguination as a result of a gunshot wound to the heart. A suspect was identified in this case; however it is unknown if this suspect was ever charged or prosecuted for this crime.

MEPIC began working this unidentified case in March 2017. At the time, there was no fingerprint card for the subject, so initial efforts were focused on creating a composite of the deceased and running the deceased's identification photograph through the Pinellas County Sheriff's Office facial recognition program. In May 2017, we were able to obtain a fingerprint card for the deceased from the Fort Myers Police Department. We ran the fingerprints through our CJIS Biometric Services Unit and the Department of Homeland Security but the prints were not identified to any records. Reports from the Fort Myers Police Department provided potential names/aliases for the subject, which were run against databases and missing persons websites. All of those efforts were unfruitful. As a last and final attempt, the subject's fingerprints were submitted to the United States Customs and Border Patrol (CBP). On April 24, 2018, CBP

advised that the subject's prints were identified with an FBI record pertaining to Kenneth Earl Henard, DOB: 10/31/1959.

Last week, SCIA Rigsby, worked diligently to obtain information on Mr. Henard and his next of kin. Being that this case was from 1989, all of Mr. Henard's arrests occurred prior to that year and locating records was very challenging. However, after conducting numerous phone calls to several law enforcement agencies throughout the United States, SCIA Rigsby was able to locate a booking photograph of Mr. Henard from Longmont, Colorado. SCIA Rigsby also discovered that the subject's birth name is Kenneth Mitchell Henard, and that his father was Kenneth Earl Henard. It appeared the subject either used his father's name as an alias or was mistakenly documented under his father's name, due to his father potentially having a prior criminal history as well.

One of the more difficult tasks in the Unidentified Deceased Initiative is locating next of kin. Particularly in old cases, it becomes very difficult to locate any living next of kin. SCIA Rigsby scoured through open sources and was able to locate two possible next of kin of Mr. Henard on the website Ancestry.com. A possible daughter and possible sister, identified themselves as relatives of Mr. Henard on the Ancestry.com message board between 2001 and 2008. The possible daughter specifically stated she was looking for her father, Kenneth Mitchell Henard, and provided his exact date of birth. SCIA Rigsby was able to match the subjects to their posts via email addresses they left as contact information on the message board. SCIA Rigsby was further able to obtain current addresses and a phone number for the next of kin. All of this information was provided to the District 21 Medical Examiner's Office and the Fort Myers Police Department. The Medical Examiner's Office was ecstatic about the identification. The Fort Myers Police Department will be making the death notification, as it is unknown what the status of their homicide investigation is at this time.

### **Success Story 17**

We recently received a positive hit on one of the many fingerprint cards provided by the District 20 Medical Examiner's Office and Collier County Sheriff's Office. These cases were identified for scrutiny by the use of a data extract of cases in the NAMUS system. The decedent, a migrant farm worker, was initially located in the Immokalee area, where he had been the victim of blunt force trauma later determined to be a homicide. He was transported to Naples Community Hospital where he identified himself as Irraglo Faustino before passing away. That name was later determined to be false.

The Department of Homeland Security's Latent Fingerprint Unit identified the deceased as Fanstin Hidalgo-Castillo, DOB 06/24/1979, a Mexican national. Mr. Hidalgo previously encountered the Border Patrol in 1997 when he was apprehended near the US-Mexico border. He was repatriated to Mexico, but a photo was taken before his return. The name, identifying information, and photograph were provided to the Medical Examiner's Office, who reported that the photo was "exactly the same" as their unidentified decedent.

Unfortunately, no other information about the subject or encounters with him could be located, and no next of kin information was found. Given the previous mention of the name Irraglo Faustino, the subject likely resided in the US using a fictitious identity. This information was passed to the District 20 Medical Examiner's Office and shared with Collier County Sheriff's Office. The Medical Examiner will coordinate with the Mexican Consulate for assistance in notifying Mr. Hidalgo's family or living relatives.



#### **ISSUE NUMBER 6: STATE FATALITY MANAGEMENT RESPONSE PLAN**

Ms. Koenig informed the Commission that some errors in the Mass Fatality Plan had been brought to the attention of Commission staff. These errors were corrected and updated contact and district information was made.

**A MOTION WAS MADE, SECONDED AND PASSED UNANIMOUSLY TO ACCEPT THE CHANGES TO THE MASS FATALITY PLAN.**

#### **ISSUE NUMBER 7: DEPARTMENT OF HEALTH OPIOID PROJECT**

Karen Card, Ph.D., with the Department of Health, again appeared before the Commission to clarify the information that they are requesting from the medical examiners in opioid deaths. Dr. Card said that the two page list of requested information was mistakenly sent out to the districts, and that the 33 data points previously requested were sufficient. Additionally, on-site extraction of the data is an option, but it is not the preferred method for obtaining the data.

#### **ISSUE NUMBER 8: EMERGING DRUGS**

Ms. Koenig provided the Commission with an update on new drug trends. The Department of Corrections has seen an increase in the number of deaths from synthetic cannabinoids. The drugs are being applied to paper, sent to inmates, and the inmates are smoking the paper. Any sudden, unexpected inmate death should be tested for the presence of synthetic cannabinoids.

Ms. Koenig said that the number of known fentanyl analogs is more than 1,900. New analogs, mainly cyclopropyl fentanyl and methoxyacetyl fentanyl, are appearing in cases submitted by the districts in the 2017 drug data.

#### **ISSUE NUMBER 9: 2018 FAME EDUCATIONAL CONFERENCE**

Ms. Koenig reported that the 2018 FAME Educational Conference would be held July 18-20, 2018, at The Mission Inn Resort & Club (<https://missioninnresort.com>) in Howey-in-the-Hills (Lake County). The District 14 Medical Examiner's Office will host the 2018 conference. The deadline for hotel reservations is June 25, 2018. The conference registration deadline is July 13, 2018.

#### **ISSUE NUMBER 10: OTHER BUSINESS**

Letters from the Department of Corrections and the Department of Health relating to synthetic cannabinoids is included in the updated meeting packet.

Ms. Whitmore requested that the Medical Examiner District contact information and the district map be included in future meeting packets. She stated this is helpful with many of the discussions.

**With no further business to come before the Commission, the meeting was adjourned at 1:50 P.M. CDT**



**Hillsborough  
County Florida**

**COUNTY ADMINISTRATOR**

**Michael S. Merrill**

PO Box 1110 Tampa, FL 33601-1110

(813) 276-2843 | Fax: (813) 272-5248

**BOARD OF COUNTY  
COMMISSIONERS**

Victor D. Crist

Ken Hagan

Al Higginbotham

Pat Kemp

Lesley "Les" Miller, Jr.

Sandra L. Murman

Stacy R. White

**COUNTY ADMINISTRATOR**

Michael S. Merrill

**COUNTY ATTORNEY**

Christine M. Beck

**INTERNAL AUDITOR**

Peggy Caskey

To: Kelly Devers, Deputy Medical Examiner  
Medical Examiner's Office

From: Michael S. Merrill, County Administrator

Date: August 1, 2018

RE: Appointment Letter

Dr. Devers:

I am pleased to inform you that you have been appointed Medical Examiner as of August 1, 2018. This correspondence officially confirms your appointment with Hillsborough County.

Congratulations on your appointment. We wish you the best in your new post.

cc: Greg Horwedel, Deputy County Administrator  
Beverly Waldron, Human Resources Director



Medical Examiner

**MEMORANDUM**

**Board of County  
Commissioners**

Kevin Beckner  
Victor D. Crist  
Ken Hagan  
Al Higginbotham  
Lesley "Les" Miller, Jr.  
Sandra L. Murman  
Stacy R. White

**County Administrator**  
Michael S. Merrill

**County Administrator  
Executive Team**  
Lucia E. Garsys  
Carl S. Harness  
Gregory S. Horwedel  
Ramin Kouzehkanani  
Liana Lopez  
Bonnie M. Wise

**Internal Auditor**  
Peggy Caskey

**County Attorney**  
Chip Fletcher

---

**Medical Examiner**  
PO Box 1110  
Tampa, FL 33601-1110  
Phone: (813) 914-4500  
Fax: (813) 914-4594

**DATE:** 26 July, 2018

**TO:** Michael S. Merrill, County Administrator

**CC:** Gregory S. Horwedel, Deputy County Administrator,  
Beverly Waldron, Director of Human Resources

**FROM:** Mary Mainland, MD, Director, Medical Examiner Department

**SUBJECT:** Resignation Letter

As previously discussed, I hereby tender my resignation from the position of Director of the Hillsborough County Medical Examiner Department and Chief Medical Examiner for District 13, as of 1 August, 2018. Dr. Kelly Devers will be assuming my former position and I will continue to serve Hillsborough County in the capacity of Deputy Chief Medical Examiner. I appreciate and thank you for your assistance and support over the past six years.

Sincerely,

  
Mary K. Mainland, MD

26 July, 2018  
Date



**STATE ATTORNEY'S OFFICE  
FOURTH JUDICIAL CIRCUIT OF FLORIDA**

**MELISSA WILLIAMSON NELSON**  
STATE ATTORNEY

311 WEST MONROE STREET  
JACKSONVILLE, FLORIDA 32202  
(904) 255-3002  
MWNELSON@COJ.NET

July 13, 2018

Dr. Stephen J. Nelson, M.A., M.D., F.C.A.P.  
Chairman  
Medical Examiners Commission  
PO Box 1489  
Tallahassee, FL 32302

RE: Interim Fourth District Chief Medical Examiner

Dear Dr. Nelson:

Dr. Rao has agreed to serve in an interim capacity until a new District Four Chief Medical Examiner can be appointed. After consultation with State Attorney Jeff Siegmeister, I write to inform you of our decision to appoint Dr. Valerie Rao as the Interim District Four Chief Medical Examiner pursuant to section 406.15, F.S.

Sincerely,

Melissa W. Nelson  
State Attorney

cc: District Four Chief Medical Examiner

10/10/2018 11:13:05

10/10/2018

10/10/2018 11:13:05



STATE ATTORNEY'S OFFICE  
FOURTH JUDICIAL CIRCUIT OF FLORIDA

MELISSA WILLIAMSON NELSON  
STATE ATTORNEY

311 WEST MONROE STREET  
JACKSONVILLE, FLORIDA 32202  
(904) 255-3002  
MWNELSON@COJ.NET

June 20, 2018

Dr. Stephen Nelson, Chairman  
Medical Examiners Commission  
1021 Jim Keene Boulevard  
Winter Haven, FL 33880-8010

Re: Fourth District Medical Examiner Search Committee

Dear Dr. Nelson:

Due to the retirement of Chief Medical Examiner Dr. Valerie Rao, along with Third Judicial Circuit State Attorney Jeff Siegmeister, I invite you to participate in the selection of a new Medical Examiner as a member of the District Four Medical Examiner Search Committee. The District Four Medical Examiner's Office provides services to Duval, Clay, and Nassau Counties as well as Columbia and Hamilton Counties in District Three. Enclosed is a helpful booklet prepared by the Florida Medical Examiners Commission which outlines the duties and responsibilities of the Search Committee.

We plan to schedule the first meeting of the Search Committee in July. Please contact my executive assistant, Cindy Cribbs, at [ccribbs@coj.net](mailto:ccribbs@coj.net) upon receipt of this letter if you are willing to serve as a member of the Search Committee. Your input is critical to the selection of the District Four Medical Examiner as well as to his or her future success.

Sincerely,

Melissa W. Nelson  
State Attorney



**FOR IMMEDIATE RELEASE**

July 27, 2018

**CONTACT:** GOVERNOR'S PRESS OFFICE

(850) 717-9282

[media@eog.myflorida.com](mailto:media@eog.myflorida.com)

## **Gov. Scott Reappoints Dr. Riazul Imami to District Medical Examiners**

**TALLAHASSEE, Fla.** – Today, Governor Rick Scott announced the reappointment of Dr. Riazul Imami to the District Medical Examiners.

Dr. Riazul Imami, 84, of Port Charlotte, is the chief medical examiner of District 22. He is reappointed for a term beginning July 27, 2018, and ending July 1, 2020.

###

**From:** zzzz Feedback, MQA\_E-Forcse  
**Cc:** [zzzz Feedback, MQA\\_E-Forcse](#)  
**Subject:** E-FORCSE Registration for Medical Examiners  
**Date:** Wednesday, August 01, 2018 9:59:09 PM  
**Attachments:** [E-FORCSE Medical Examiners User Support Manual \(Final\).pdf](#)  
[Florida Medical Examiners User Agreement \(Final\).pdf](#)  
[QRG Medical Examiner Registration \(Final\).pdf](#)  
[ORG Medical Examiner Insight Report Request \(Final\).pdf](#)  
**Importance:** High

---

Dear Medical Examiners:

### Summary

HB21 was signed into law on March 19, 2018, and authorizes medical examiners to request information from the E-FORCSE Prescription Drug Monitoring Program. Section 893.055(5)(d), Florida Statutes, provides that a medical examiner may not directly access information in the PDMP system, but may request information from the program manager or designated program and support staff when conducting an authorized investigation under section 406.11, Florida Statutes, to determine the cause of death of an individual.

### How It Affects Me

Pursuant to draft rule 64K-1.003(4), Florida Administrative Code, in order to request confidential information from the program manager, the medical examiner shall:

1. Review the Medical Examiner User Support Manual;
2. Enter into a user agreement with the Department using the Prescription Drug Monitoring Program Memorandum of Understanding (see attached); and
3. Identify one agency administrator on the user agreement. The medical examiner may act as the agency administrator or may appoint another individual (e.g., office operations manager) to serve as the primary liaison with the program.

Once a copy of the approved user agreement has been approved by the Department, the Agency Administrator and other users authorized by the medical examiner may register for an account and begin making requests. There is no limit on the number of Medical Examiners that may register for accounts or on the number of requests that may be submitted.

### Action Steps

1. Review the Medical Examiner User Support Manual.
2. Complete the Medical Examiner User Agreement, identifying the agency administrator on the last page.
3. Upon receiving an approved copy of the Medical Examiner User Agreement, the Agency Administrator will register with E-FORCSE as the "Medical Examiner/Coroner," as described in the Quick Reference Guide for Medical Examiner Registration.
4. After the Agency Administrator has registered, any other individuals authorized by the medical examiner office to make requests from E-FORCSE will register as "Medical Examiner – Delegate."

### Additional Information

The following documents are attached, and provide a detailed explanation of how to register and submit requests.

1. Medical Examiner User Support Manual
2. Medical Examiner User Agreement
3. Quick Reference Guide for Medical Examiner Registration
4. Quick Reference Guide for Medical Examiner Insight Report Request



Should you have any questions, please contact Mike Watters at [e-forcse@flhealth.gov](mailto:e-forcse@flhealth.gov) or (850) 245-4548.

**E-FORCSE Florida Prescription Drug Monitoring Program** | 4052 Bald Cypress Way, Bin C-16,  
Tallahassee, FL 32399 | Phone: 850-901-6870 | Fax: 850-617-6430 | Email: [e-forcse@flhealth.gov](mailto:e-forcse@flhealth.gov) |  
[www.e-forcse.com](http://www.e-forcse.com)

**Department of Health Mission:** To protect, and promote & improve the health of all people in Florida through integrated state, county, and community efforts.

**Vision:** To be the **Healthiest State** in the Nation.

**Values:**

**I**nnovation: We search for creative solutions and manage resources wisely.

**C**ollaboration: We use teamwork to achieve common goals & solve problems.

**A**ccountability: We perform with integrity & respect

**R**esponsiveness: We achieve our mission by serving our customers & engaging our partners.

**E**xcellence: We promote quality outcomes through learning & continuous performance improvement.

**Please note:** Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.





Medical Examiner User Support Manual

August 2018

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# 1 Introduction

## 1.1 Program Overview

The Electronic-Florida Online Reporting of Controlled Substances Evaluation program (E-FORCSE) is Florida's Prescription Drug Monitoring Program (PDMP). E-FORCSE was created by the 2009 Florida Legislature in an initiative to encourage safer prescribing of controlled substances and to reduce drug abuse and diversion within the State of Florida. The purpose of E-FORCSE is to provide the information that will be collected in the database to healthcare practitioners to guide their decisions in prescribing and dispensing these highly-abused prescription drugs.

In 2018, sections 893.055 and 893.0551, Florida Statutes (F.S.) were amended to authorize indirect access to controlled substance dispensing information maintained in E-FORCSE by a medical examiner when conducting an authorized investigation under section 406.11, F.S., to determine the cause of death of an individual.

Section 893.0551(3)(g), F.S., authorizes A district medical examiner or associate medical examiner, as described in section 406.06, F.S., pursuant to his or her official duties, as required by section 406.11, F.S., to determine the cause of death of an individual. Such medical examiners may request information from the department but may not have direct access to the system.

In order to request confidential information from the program manager, the district medical examiner shall:

1. Review the Medical Examiner User Support Manual;
2. Enter into a user agreement with the Department using the Prescription Drug Monitoring Program Memorandum of Understanding (Appendix 1);
3. Identify one agency administrator on the user agreement. The district medical examiner may act as the Agency Administrator or may appoint another individual (e.g., associate medical examiner, office operations manager, etc.)
4. Upon approval of the user agreement the Agency Administrator and other users authorized by the medical examiner may register for an account and begin making requests. There is no limit on the number of Medical Examiners that may register for accounts or on the number of requests that may be submitted.
5. Maintain and protect the confidentiality of all information obtained from the E-FORCSE database.

## 1.2 Medical Examiner Responsibilities

### 1.2.1 User Agreement

In order to request confidential information from the program manager, the district medical examiner must enter into a user agreement with the Department. The user agreement outlines the legal authority; terms, conditions, and limitations associated with using the E-FORCSE database to request and review information from the program to determine the cause of death of an individual.

### 1.2.2 Safeguarding Information

All information disseminated from the E-FORCSE database in any form to any entity is considered protected health information (PHI) and any and all applicable federal and state laws, including the

Health Insurance Portability and Accountability Act (HIPAA), govern the use of it. It is the district medical examiner's duty and responsibility to maintain the confidential and exempt status of any information received from the PDMP.

Information provided will not be used for any purposes not specifically authorized by the user agreement. Unauthorized use includes, but is not limited to, requests not related to a legitimate purpose, personal use, and the dissemination, sharing, copying or passing of this information to unauthorized persons.

All information provided to an agency, entity, or individual will be labeled "CONFIDENTIAL: This information obtained from E-FORCSE contains confidential controlled substance prescription dispensing information."

Information provided by electronic means will be stored in a place physically secure from access by unauthorized persons. Access to the information provided will be protected in such a way that unauthorized persons cannot review or retrieve the information.

The district medical examiner must notify in writing the Department following the determination that personal information has been compromised by any unauthorized access, distribution, use, modification, or disclosure as soon as possible, but no later than one business day after making such determination. The statement to the Department must provide the date and the number of records affected by any unauthorized access, distribution, use, modification, or disclosure of personal information. Further, as provided in section 501.171, F.S., the document must include the following: synopsis of security breach, policy/incident report, number of affected persons, security policy, recovery steps, and contact information to obtain additional information.

## 2 What Is a Requestor?

A requestor is a PMP AWA<sub>R</sub><sub>x</sub>E account type that is used to review information in PMP AWA<sub>R</sub><sub>x</sub>E.

**Note:** District medical examiners interested in accessing information in E-FORCSE should contact the State Administrator for instruction on applying for and setting up access to PMP AWA<sub>R</sub><sub>x</sub>E.

A list of available roles are as follows:

### Other

- Medical Examiner/Coroner
- Medical Examiner - Delegate

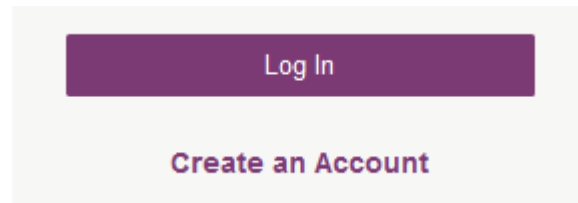
## 3 Registration

E-FORCSE® requires that every individual register as a separate user, using their email address as their username within the system. Agency Administrators will register as a "Medical Examiner/Coroner" and other users of the district medical examiner office must register as a "Medical Examiner – Delegate" and link to their Agency Administrator.

The registration process is comprised of three screens: the account settings screen, the role selection screen, and the demographics screen. All three screens must be filled out before the user can successfully submit their registration for processing.

### 3.1 Registration Process

1. To request a new account in PMP AWARE, the user must first load the login screen for the application. The login screen is located at <https://florida.pmpaware.net>.
2. Once at the login screen, the user must click the “Create an Account” option to begin the process.



3. The next screen requires the user to enter their current, valid email address and select a password. The password must be entered a second time for validation.
  - a. The password must contain at least 10 characters, including 1 capital letter and 1 special character (such as !, @, #, \$).

#### Registration Process

##### Create an Account

Registration Process Tutorial



Get Adobe Acrobat Reader

Email

Password

Password Confirmation

Save and Continue

4. After the email and desired password have been entered, the user must click the “Save and Continue” button.
5. The second step is the role selection screen. Click the “Other” role category and select either “Medical Examiner/Coroner” for Agency Administrators or “Medical Examiner – Delegate” for other medical examiner users.

## Select your User Roles

---

**+ Healthcare Professional**

**+ Law Enforcement**

**- Other**

☐ Medical Examiner/Coroner

☐ Medical Examiner - Delegate

☐ Peer Assistance Program / Recovering Health Professions Program

**+ Restricted Admin**

Save and Continue

6. Click the “Save and Continue” button.
7. The final screen is the demographics screen. Here the user must enter their badge/employee number, name, date of birth, agency information, and other information as configured by the State Administrator. Required fields are marked with a red asterisk.

**Note:** Agency Administrators contact the State Administrator for instruction on applying for and setting up a new Agency Administrator account.

**Note:** If you are a delegate and do not find your specific medical examiner district listed in the demographic section, contact your Agency Administrator for direction.

## Registration Process

### Create an Account

[Registration Process Tutorial](#)

 [Get Adobe Acrobat Reader](#)

*All fields with an asterisk (\*) are required.*

#### Personal

Badge Number \*

Position, Title, or Rank \*

First Name \*

Middle Name

Last Name \*

Date of Birth \*

Primary Contact Phone \*

#### Employer

Agency \*

Address \*

Address Line 2

City \*

State \*

Zip Code \*

Phone \*

Fax

#### Delegate

I am a delegate for the following people... \*

Email

Add

Selected Supervisors

[Submit Your Registration](#)

8. The final section of the demographics screen requires the delegate to enter their Agency Administrator's (AWARxE supervisor) registered email address. NOTE: **The Agency Administrator must already have set up an agency account with PMP AWARxE.** When adding an Agency Administrator (AWARxE supervisor), a delegate must ensure that they enter the supervisor's email address correctly and that they are using a valid email address.

## Delegate

I am a delegate for the following people... \*

Email

supervisor@email.com

Add

9. After all information has been entered into the form, the user must click the "Submit Your Registration" button to complete the registration.
10. The user will then be taken to a landing page notifying them that their account is either pending approval, or incomplete and requires further action.
- Users will also be notified that a link to verify their email address has been sent.
  - If your registration is "Incomplete," please see the [Validation Documents](#) section.

Menu

Jordan LE-User

Home > Dashboard

PMP DEMO

AwarxE™

Powered by AWARxE™

Support: 1-866-Appriss

Success

A link to verify your email address has been sent.

DISMISS

Your Registration is Not Complete

Welcome

Registration Process Tutorial

Get Adobe Acrobat Reader

Based on the User Roles you've chosen, you may be required to submit additional documentation. You will receive an email with instructions and the necessary forms to be submitted. Once all validation documents are met, your registration will be reviewed for approval. Watch your email or log in for status updates.

Your User Roles

Law Enforcement	Validation Documents Required	Documentation Received
Local	Law_Enforcement_Authorized_User_Certification.pdf	Fill out the required form and upload it

Upload Law Enforcement Authorized User Certification

Local

+ Add File...



### 3.2 Email Verification

1. After the user submits their registration, PMP AWA<sub>x</sub>E sends an email to the supplied email address asking for verification of an active email address.
2. The user must click the link within the email to verify their email address.
  - a. The link contained within the email is only valid for 20 minutes. In the event the time has expired, clicking the link will result in a new email verification notification being sent to the user. The user must click on the link in the new email to verify their email address.
  - b. If you are not able to receive HTML formatted emails/emails with hyperlinks, please contact the helpdesk with the contact information located in the [Technical Assistance](#) section of this document.
  - c. If you registered with the wrong email address, please login to the account and navigate to Menu > User Profile (under the My Profile Section) to update your email address. For further instructions see the [My Profile](#) section of this document.
3. The user is taken to a screen displaying a message that their email address has been validated.

### 3.3 Validation Documents

1. If a State Administrator requires further validation for a role the user registered for, the user will receive an email with instructions the State Administrator has provided and the necessary forms to fill out and complete.
2. The user completes the required form(s) in accordance with the instructions.
3. The user must then submit the form(s) to the PMP AWA<sub>x</sub>E system.
  - a. The user logs into the PMP AWA<sub>x</sub>E using their email address and password used to request an account.
    - i. The user is presented with a file upload screen.

The screenshot displays the PMP AWA<sub>x</sub>E user interface. At the top, a purple navigation bar contains a 'Menu' button and the user's name 'Jordan LE-User'. Below the navigation bar, a breadcrumb trail shows 'Home > Dashboard'. The main content area features a green success message: 'Success: A link to verify your email address has been sent.' with a 'DISMISS' button. Below this, a red banner states 'Your Registration is Not Complete'. The 'Welcome' section includes links for 'Registration Process Tutorial' and 'Get Adobe Acrobat Reader'. A section titled 'Your User Roles' contains a table with three columns: 'Law Enforcement', 'Validation Documents Required', and 'Documentation Received'. The table has one row for the 'Local' role, showing 'Law\_Enforcement\_Authorized\_User\_Certification.pdf' as the required document and 'Fill out the required form and upload it' as the action. Below the table, a section titled 'Upload Law Enforcement Authorized User Certification' shows a file upload interface for the 'Local' role, with a dashed box containing an upload icon and a '+ Add File...' button.

Law Enforcement	Validation Documents Required	Documentation Received
Local	Law_Enforcement_Authorized_User_Certification.pdf	Fill out the required form and upload it

- ii. The user clicks “add file” and selects the file for upload. No further action is needed to submit. The user will receive an email notifying them that an update has been made to their account. Once the validation document(s) are uploaded, no further action is needed by the user.

The screenshot shows a user dashboard for 'Jordan LE-User'. The navigation bar includes a 'Menu' button and the user's name. Below the bar, there's a breadcrumb 'Home > Dashboard' and the PMP AwarxE logo with contact information. A red banner states 'Your Registration is Not Complete'. A 'Welcome' section provides instructions on submitting documentation. A table titled 'Your User Roles' shows the 'Law Enforcement' role with a required document 'Law\_Enforcement\_Authorized\_User\_Certification.pdf' that has not yet been received. Below the table, a section titled 'Upload Law Enforcement Authorized User Certification' shows a file 'My\_Certification.pdf' (150.13 KB) uploaded less than 1 second ago, with a 'Delete' button and an 'Add File...' button.

Law Enforcement	Validation Documents Required	Documentation Received
Local	Law_Enforcement_Authorized_User_Certification.pdf	Fill out the required form and upload it

Upload Law Enforcement Authorized User Certification

Local

My\_Certification.pdf, 150.13 KB  
Uploaded less than 1 second ago

Delete

+ Add File...

- b. The user mails the forms to the state office.

### 3.4 Account Approved

- After the Agency Administrator has verified that the delegate is authorized to access PMP AwarxE he/she will approve the delegates account through their dashboard.
- After the State Administrator is notified that the Agency Administrator has approved the delegate account, the State Administrator then grants final approval.~~account can be approved.~~
- The user receives an email stating that their account has been approved and is now active.
- The user can then log into PMP AwarxE using the email address and password supplied during the account creation process. If the user no longer has the password, it can be reset by navigating to <https://florida.pmpaware.net> and clicking the Reset Password link, or by navigating to [https://florida.pmpaware.net/identity/forgot\\_password](https://florida.pmpaware.net/identity/forgot_password).

## 4 Requestor Dashboard

The Requestor Dashboard is the first screen users see once logged in with an approved account. It provides a quick summary of pertinent items within PMP AwarxE, including State Administrator announcements, their delegate’s/supervisor’s status, and any Quick Links the State Administrator has configured. The Dashboard can be accessed at any time by clicking **Menu > Dashboard** (Under “Home”).

## My Dashboard

Delegates

DELEGATES

Delegate Name	Status	Request Date
<div>new</div> James Delegate	pending	12/01/2017
Jordan Delegate	approved	04/25/2017

PMP Announcements

Message for Law Enforcement 10/13/2017

Test announcement

Exciting changes are coming to AWA<sub>RxE</sub>! 09/20/2017

We are pleased to announce that later this year, we will be performing a systemwide update on AWA<sub>RxE</sub>.

When you log in to AWA... [more](#)

[View all Announcements](#)

Quick Links

[PMP Support](#)

### 4.1 Delegates (Designees)/Supervisors

This section shows the user's delegates or supervisors depending on the user's role. A supervisor can quickly change a delegate's status from the dashboard by clicking the delegate's name. They will be taken to the Delegate Management screen where they can approve, reject, or remove a delegate from their profile. Users can also click the "Delegates" link to be taken to the Delegate Management section, which is also accessible at any time by navigating to **Menu > Delegate Management** (Under the My Profile section). For additional information regarding delegate management, see the [Delegate Management](#) section.

### 4.2 Announcements and Quick Links

State Administrators can configure Announcements to be displayed to users in this section. The quick view on the right shows only the first few lines of text, but clicking on the **Announcements** button will display the full announcement text. This can also be accessed by navigating to **Menu > Announcements** (Under the Home section). The announcements can be configured as role specific meaning that a user whose role is Agency Admin can have an announcement whereas a delegate user may not have the same announcement viewable under their profile.

State Administrators can also configure Quick Links to webpages outside of PMP AWA<sub>RxE</sub>. Any links configured will be visible towards the bottom right of the dashboard in the Quick Links Section.

## 5 Insight

District medical examiners have access to the Insight Investigative Patient Request.

### 5.1 Investigative Patient Request

The Investigative Patient Request allows you to search for a single patient or multiple patients by name,

1. To run an investigative Patient Request, navigate to **Menu > Insight > New Reports** and click “Investigative Patient Request.”

#### PMP AWAxE Reports

Report Name	Description
Investigative Patient Request	Allows broader searches for a single or multiple patients by name, identification number, or address.

2. Insert the desired information into the Request Purpose section on the request form.

Request Purpose

Investigation Type\*

▼

Case Number\*

Case Comments

3. Enter your patient criteria.

The minimum patient requirements are one of the following:

First Name + Last Name

D.O.B.

#### Request Criteria

##### Patient\*

Search for a patient using:

- ☒ Specific Patient Info  
☐ Alias Name(s)

First Name ☐ Partial Search

bob

Identification Number ☐ Partial Search

Address: *Requires either City/State or Zip*

i.e 4300 N Broadway

Last Name ☐ Partial Search

testpatient

Phone Number

(000) 000-0000

City State

Date of Birth

MM/DD/YYYY

Zip Code

4. Date Range is always required, and users can select from either written date or fill date.

Rx Date\* Drug

Date Type: ☒ Written Date ☐ Fill Date

From

04/16/2017

To

04/16/2018

5. Click "Search." A success message is displayed on screen. Navigate to **Menu > Insight > Reports History** to view the results of your search.

 **Success**  
The request has been forwarded to your admin for approval.

DISMISS

## Report Results

Report Requests					
Click on Report Type to view the report					
Report Type	Key Parameters	Match Result	Requestor	Request Date	Status
<a href="#">Investigative Search Request</a>	First Name: bob, Last Name: testpatient	1 Patients	Jordan Crawford	12/18/2017 7:29 AM	Ready

6. Once the report has a status of "Ready," click the "Investigative Search Request" link to view the results of the report. The report will be listed in a status of "In Review" until approved by the State Administrator.
7. This will take you to a picklist to select from all patients that matched that search. Select your patient(s) and click "Run Report."

## Investigative Patient Results

[Refine Search](#)

1 matches found

☐ Select All

Select patient(s) to include in the report

<input checked="" type="checkbox"/> <b>Bob Testpatient</b>	Date of Birth: 1900-01-01	Gender: unknown	1023 NOT REAL STREET WITCHITA KS 67203
------------------------------------------------------------	---------------------------	-----------------	----------------------------------------

Run Report

8. The report begins with the patients table which will provide you with all the linked records the system was able to locate for the patient(s) you selected. Above the report you are able to export the results. Below the patients table is a quick reference summary table of various counts.

Report Prepared: 12/18/2017  
Date Range: 12/18/2016 – 12/18/2017



Bob Testpatient

DOB: 01/01/1900

Gender: unknown

Patient Address One: 1023 NOT REAL STREET

Linked Records

Name	DOB	ID	Gender	Address
Bob Testpatient	01/01/1900	1	unknown	1023 NOT REAL STREET WICHITA KS 67203
BOB TESTPATIENT	01/01/1900	2	male	1023 NOT REAL ST WICHITA KS 67203

Report Criteria

First Name	Last Name
bob	testpatient

Summary

Prescriptions:

4

Prescribers:

3

Pharmacies:

4

Private Pay:

3

Active Daily MME:

0.0

9. The prescriptions table will display all pertinent information relating to the prescription, and can be sorted by any of its columns.

Prescriptions

Filed	ID	Written	Drug	QTY	Days	Prescriber	Rx #	Pharmacy	Refills	MME/D	Pymt Type
08/07/2017	1	08/07/2017	ALPRAZOLAM 2 MG TABLET	10.0	10	Paul Doctor	xx091	WALGREEN CO.	0		insurance
01/03/2017	2	01/03/2017	ACETAMINOPHEN-COD #3 TABLET	3.0	3	MULVANE PHARMACY	AT1152500	HOME CARE PLUS INC	0	4.5	paid
12/27/2016	2	12/27/2016	ACETAMINOPHEN-COD #3 TABLET	3.0	3	WALGREEN CO. CO.	AT1152500	RANDALL, DANIEL C DVM	0	4.5	paid
12/20/2016	2	12/20/2016	ACETAMINOPHEN-COD #3 TABLET	3.0	3	WALGREEN CO. CO.	AT1152500	Appriss Pharmacy	0	4.5	paid

Per CDC guidance, the conversion factors and associated daily morphine milligram equivalents for drugs prescribed as part of medication-assisted treatment for opioid use disorder should not be used to benchmark against dosage thresholds meant for opioids prescribed for pain.

Prescribers

Name	Address	City	State	Zip	Phone
WALGREEN CO. CO.	301 W MAIN ST	INDEPENDENCE	KS	67301	
Paul Doctor					
MULVANE PHARMACY	1008 SE LOUIS DR	MULVANE	KS	67110	

Dispensers

Pharmacy	Address	City	State	Zip	Phone
Appriss Pharmacy	10401 LINN STATION RD	LOUISVILLE	KY	40223	5028151000
HOME CARE PLUS INC	864 WILSON DR	RIDGELAND	MS	39157	
RANDALL, DANIEL C DVM	20 RAYFORD LN	GREENVILLE	SC	29609	
WALGREEN CO.	301 W MAIN ST	INDEPENDENCE	KS	67301	

10. A prescriber and dispensers table is listed below to relate the prescriptions in the prescriptions table to their associated prescribers and dispensers.

<b>Therapeutic Class Summary</b>					
Therapeutic Class 4	Script Count	Dispensary Count	Prescriber Count	Total Quantity	Total Days Supply
BENZODIAZEPINES (ANXIOLYTIC, SEDATIV/HYP)	1	1	1	10.0	10
OPIATE AGONISTS	3	3	2	9.0	9

11. A Therapeutic Class Summary table is provided as well for quick reference.

See the [Reports History](#) section for more information.

## 5.2 Reports History

Reports History is where all reports are stored. Users must navigate here to access any report that they have run.

To access Reports History, navigate to **Menu > Insight > Reports History**.

Reports have 4 status types: Processing, Ready, In Review, and Rejected. In Review reports are awaiting approval or rejection from a State Administrator. Rejected Requests retain the rejection reason. To see the rejection reason, hover over the “Rejected” message in red. Processing reports are still running. “Ready” reports are reports that are approved by an administrator and available for viewing. To view the results of the report, click on the Report Name in the Report Type column.

Advanced Options ▾

REPORT TYPEany

Search

Report Requests

Click on Report Type to view the report

Report Type	Key Parameters	Match Result	Requestor	Request Date	Status
Investigative Search Request Documents: <a href="#">view</a>	First Name: John, Last Name: Doe, Birthdate: 1900-01-01	No Match	Jordan Investigator	04/11/2018 8:53 PM	Processing
Dispensary Activity Request	DEA: PH1111119	ENDOR PHARMACY	Jordan Investigator	04/02/2018 4:26 PM	Rejected
Prescriber Activity Request Documents: <a href="#">view</a>	DEA: AP1111119	Appriss Inc	Jordan Investigator	04/02/2018 4:04 PM	Ready
Investigative Search Request Documents: <a href="#">view</a>	First Name: bob, Last Name: testpatient, Birthdate: 1900-01-01	1 Patients	Jordan Investigator	04/02/2018 3:59 PM	Ready

Case numbers and comments, can be viewed or downloaded by clicking the “View” button. To close, click “View” again.

Reports History can be filtered by the following:

Advanced Options ▾	REPORT TYPE any	Search
<div>Report Type: <input type="radio"/> Dispenser Activity <input type="radio"/> Prescriber Activity <input type="radio"/> Investigative Search <input checked="" type="radio"/> Any</div> <div>Requestor First Name: <input type="text"/></div> <div>Requestor Last Name: <input type="text"/></div> <div>DEA: <input type="text"/></div> <div>NCPDP: <input type="text"/></div> <div>Request Date: <input type="text" value="MM/DD/YYYY"/></div> <div>Search for: <input type="checkbox"/> Shared Report</div>		
	Request Date	Status
	4/2017 9:39	Ready
	4/2017 9:38	Ready
	4/2017 9:30	Ready
	4/2017 9:27	Ready
	4/2017 8:16	Rejected

### 5.3 Shared Reports

If a state administrator shares a report with a user, the user will receive an email to inform that an E-FORCSE® administrator has shared a report with them. The email will include instructions on how to view the report. Shared Reports can be viewed in Reports History.

1. Login to <https://florida.pmpaware.net>
2. Navigate to Menu > Insight > Reports History
3. Click “Advanced Options”
4. Click the “Shared Report” radio button and click search. A listing of shared reports is displayed.

Advanced Options ▾ **REPORT TYPE** any **SHARED REPORT** Yes Search

Report Type: ☐ Dispenser Activity ☐ Prescriber Activity ☐ Investigative Search  
☒ Any

Requestor First Name:

Requestor Last Name:

DEA:

NCPDP:

Request Date:

Search for: ☒ Shared Report

Requestor	Request Date	Status
Jordan Crawford	04/10/2018 11:14 AM	Ready
Jordan Crawford	04/10/2018 11:09 AM	Ready
Jordan Crawford	04/10/2018 11:09 AM	Ready
Jordan Crawford	04/10/2018 11:03 AM	Ready
Jordan Crawford	04/10/2018 11:00 AM	Ready

## 6 User Profile Management

The User Profile section allows users to view and edit certain aspects of their PMP AWARxE account.

To Access the User Profile, navigate to **Menu > User Profile > My Profile**.

### 6.1 My Profile

The My Profile section allows the user to view their account demographics such as role, position/rank, agency details, etc.

Users have the ability to update their address, email address, time zone, and supervisor(s) (if a delegate).

Updating agency name or badge number must be requested through the State Administrator. Contact information is located in the [Administrative Assistance](#) section.



### Profile Info [Edit](#)

Name: Jordan Investigator  
(ACTIVE: 04/16/2018)  
Position/Rank: LE User  
DOB: 01/01/1970  
Primary Contact: 5021111111

Employer: Jefferstown PD  
10410 Taylorsville Rd  
Louisville, KY 40299  
Employer Phone: 5021111111  
Employer Fax:  
Role: Local

### Setting

#### Time Zone

Eastern Time (US & Canada) ▼

### Contact Information

Change email address associated with this profile

Current Email: leuser@appriss.com

New Email Address

✉ leuser@appriss.com

Re-enter New Email Address

✉ leuser@appriss.com

### Supervisors

I am a delegate for the following people... \*

Email

Add

#### Selected Supervisors

Email: leadadmin@appriss.com



Save Changes

To update your account:

- 1. Updating Employer Information:** Users may update their Employer information by clicking the "Edit" link next to "Profile Info." Employer Name and Address can be updated here. Update the information in the requested fields and click "Update." Updating other fields like Agency Name or badge number must be requested through the State Administrator.
- 2. Adding Supervisors:** Delegate users may add additional supervisors to their accounts at the bottom of the screen. The delegate must enter their supervisor's email address and click add. If the delegate needs to remove a supervisor, click the "x" button next to the supervisor. Click "Save Changes."

**Supervisors**

---

I am a delegate for the following people... \*

Email



**Selected Supervisors**

Email: leadadmin@appriss.com
✕

3. **Email Address:** To update the email address on the account, enter the new email address in the “New Email Address” and “Re-enter Email Address” field. Click “Save changes.” Upon saving a confirmation message will be displayed. Please ensure to click the link in the verification email received to verify the new email address.

After Clicking “Save Changes,” a successful message will be displayed on screen.



## 6.2 Delegate (Designee) Management

For supervisors (Agency Administrators), delegates associated with the user’s account are displayed in a table found at **Menu > User Profile > Delegate Management**. From this location, the supervisor can approve or reject new delegates, or remove existing delegates from their account.

### 6.2.1 Approving and Rejecting Delegates

1. When a user registers as a delegate for a supervisor, the supervisor receives an email alerting them that a delegate account is pending their approval.
  - a. If the request is not acted upon, PMP AWA<sub>R</sub><sub>x</sub>E will send follow up emails advising that action is still required.
2. The supervisor logs into the PMP AWA<sub>R</sub><sub>x</sub>E application (<https://florida.pmpaware.net/>) and navigates to **Menu > User Profile > Delegate Management**.
3. From the Delegate management screen, the supervisor can see all delegates associated with their account. New Delegate(s) are identified with the pending symbol in the Delegate Status column.

Delegate Management					
Select a delegate to review details.					
First	Last	Role	Delegate Status	Date Requested	Date Verified
Jordan	Investigator	Local	Pending	04/11/2018	
Jordan	LE-User	Local	Pending	04/11/2018	

- The user selects the delegate to view their information in the detail card at the bottom of the screen.

Delegate Management					
Select a delegate to review details.					
First	Last	Role	Delegate Status	Date Requested	Date Verified
Jordan	Investigator	Local	Pending	04/11/2018	
Jordan	LE-User	Local	Pending	04/11/2018	

Jordan Investigator

Approve

Reject

Role: Local

Phone: 5021111111

Email: leuser@appriss.com (Unverified)

Address: 10410 Taylorsville Rd

Louisville, KY 40299

Date of Birth: 01/01/1970

Validation

Manage

Delegate (pending)

Badge (valid)

2345252

1 Supervisor

Jordan LE-Admin (pending)

leadmin@appriss.com

0 Delegates

Healthcare Specialty

- To approve or reject the delegate, the supervisor must click the appropriate button above the delegate's information. The delegate will be removed from the list if rejected.

#### 6.2.2 Removing Delegates (Designees)

- If a supervisor decides to remove a delegate from their account, the supervisor navigates to **Menu > User Profile > Delegate Management**.
- The supervisor selects the active delegate from the list displayed.
- The supervisor clicks the "Remove" button in the detail card at the bottom of the screen.
- The delegate will be placed back in pending status. The delegate is not removed from the supervisors list.
  - If a supervisor wants to add the user again at a later date, the supervisor can locate the former delegate in their list and select approve to add the delegate to their account again.
  - If a supervisor wants to completely remove the delegate from their account, the supervisor can select the former delegate and click the "Reject" button. This will remove them from the supervisor's account.
  - It is the supervisor's responsibility to regularly maintain the delegate listing to ensure to remove access if access is no longer necessary.

## 6.3 Password Management

Password management can be handled within PMP AWA<sub>x</sub>E by the user. The user's password will expire after 90 days. A user can proactively change their password before it expires within the application through their user profile. If a password has expired, or if the user has forgotten the password, they can use "Reset Password" to change their password.

### 6.3.1 Updating the Current Password

1. When a user wants to change their current password, they navigate to **Menu > User Profile > Password Reset**.
  - a. This requires the user to know the current password and be logged into PMP AWA<sub>x</sub>E.
2. The user must then enter their current password and enter a new password twice.
  - a. The password must contain at least 10 characters, including 1 capital letter and 1 special character (such as !,@,#,\$). Users cannot reuse any of their last 12 passwords.
3. The new password will take effect once the user has logged out of the application.

#### Change Password

Current Password

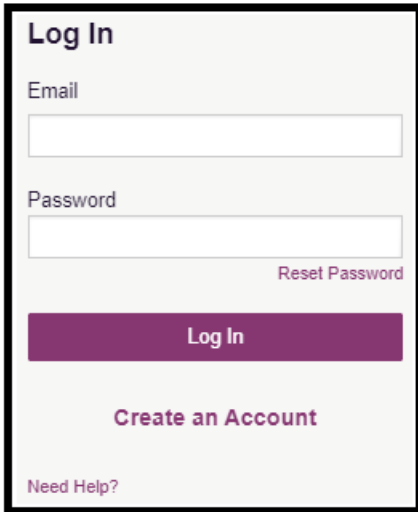
New Password

New Password Confirmation

Change

### 6.3.2 Resetting a Forgotten Password

1. When a user has forgotten their password or their password has expired, the user should click on the "Reset Password" link located on the log in screen.



**Log In**

Email

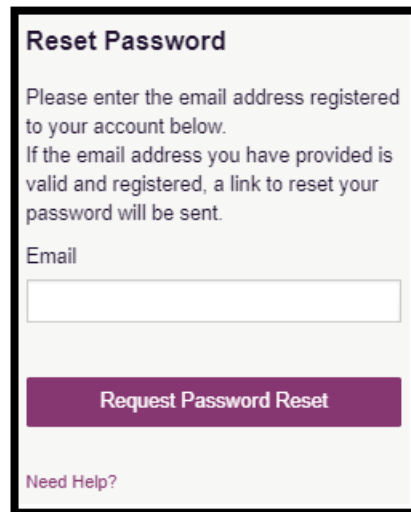
Password

[Reset Password](#)

**Log In**

[Create an Account](#)

[Need Help?](#)



**Reset Password**

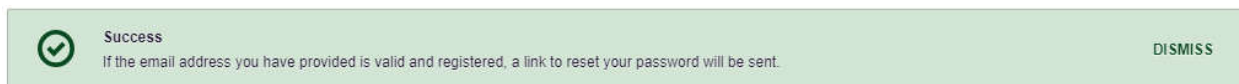
Please enter the email address registered to your account below.  
 If the email address you have provided is valid and registered, a link to reset your password will be sent.

Email

**Request Password Reset**

[Need Help?](#)

2. The user must enter the email address they used to register with the application and click “Request Password Reset.”



3. The user will receive an email containing a link to reset the password as long as the email address was valid and exists on an account.
    - a. The link will only be active for 20 minutes. After the time has expired, the user will need to repeat these steps to generate a new password reset email.
    - b. Per our security protocol, PMP AWARE will not confirm the existence of an account. If the user does not receive an email to the email address provided, the below steps should be followed:
      - i. Ensure a valid email address was entered.
      - ii. Check junk, spam, or filtered folders for the message
      - iii. If the email address is a working email address but no email has been received, contact the State Administrators (contact information is located in the [Administrative Assistance](#) section) to request a new password or determine what email address is on the account.
      - iv. Whitelist the below email addresses/domains
        - a. The user should add the following email addresses to the email contacts list
- Or
- b. The user should contact their IT Support to get the following email addresses/domains added as safe senders:

[no-reply-pmpaware@globalnotifications.com](mailto:no-reply-pmpaware@globalnotifications.com)  
 globalnotifications.com  
 amazonses.com

4. Once the password reset email is received, the user must click the link in the email to reset their password. The user must enter the new password twice and then save the password.
  - a. The password must contain at least 10 characters, including 1 capital letter and 1 special character (such as !, @, #, \$). Users cannot reuse any of their last 12 passwords.

## Change Password

Email

New Password

New Password Confirmation

Change

## 7 Assistance and Support

### 7.1 Technical Assistance

If you need additional help with any of the procedures outlined in this guide, you can contact Appriss at:

1-877-719-3120

or

Create a support request using the following URL:

<https://apprisspmp.zendesk.com/hc/en-us/requests/new>

### 7.2 Administrative Assistance

If you have non-technical questions regarding E-FORCSE®, please contact:

E-FORCSE®, Florida Prescription Drug Monitoring Program

4052 Bald Cypress Way  
Bin C16  
Tallahassee, FL 32399  
Phone: 1-850-245-4797

Fax: 1-850-617-6430  
Email: [e-forcse@flhealth.gov](mailto:e-forcse@flhealth.gov)

## 8 Document Information

### 8.1 Disclaimer

Appriss has made every effort to ensure the accuracy of the information in this document at the time of printing. However, information may change without notice.

## 9 Appendix 1 – Medical Examiner User Agreement



### FLORIDA MEDICAL EXAMINER USER AGREEMENT between Prescription Drug Monitoring Program and

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This Florida Medical Examiner User Agreement (Agreement) is made and entered into by and between \_\_\_\_\_ hereinafter referred to as the “Medical Examiner” and the Florida Department of Health, Prescription Drug Monitoring Program hereinafter referred to as the “Department.”

#### I. Purpose of the Agency User Agreement

In accordance with section 893.055(5)(d), Florida Statutes, a medical examiner may not directly access information in E-FORCSE system, but may request information from the program manager or designated program support staff when conducting an authorized investigation under section 406.11, Florida Statutes, to determine the cause of death of an individual.

#### II. Legal Authority

E-FORCSE collects and maintains information in a system pursuant to sections 893.055 and 893.0551, Florida Statutes. The information maintained in the system is confidential and exempt from public record disclosure and may only be released to an authorized user under specified circumstances.

#### III. Statement of Work

##### A. Medical Examiner Responsibilities:

1. Prior to executing this Agreement, the Medical Examiner or his or her designee must review the *Training Guide for Florida Medical Examiners* and complete the *Certification Form*, certifying that they understand the information contained therein. A copy of the *Certification Form* must be maintained on file with the Medical Examiner for the duration of the appointment and be made available for examination upon request by the program manager.
2. Agency Administrator. The Medical Examiner shall appoint an individual from its office to function as the Agency Administrator and point of contact. This appointment is made at the bottom of this agreement.
3. Designee(s). The Medical Examiner may appoint one or more designees to request and receive information on his or her behalf.
4. In the event of disclosure of confidential information, the Medical Examiner, must notify the Department in writing following the determination that information has been compromised by any unauthorized access, distribution, use, modification, or disclosure as soon as possible, but no later than one business day after making such determination. The statement to the Department must provide the date and the number of records affected by any unauthorized access, distribution, use, modification, or disclosure of personal information. Further, as



provided in section 501.171, Florida Statutes, the document must include the following: synopsis of security breach, policy/incident report, number of affected persons, security policy, recovery steps, and contact information to obtain additional information.

**B. Department Responsibilities:**

1. Operate and maintain the electronic system.
2. Maintain official copy of this Agreement.
3. Ensure/monitor compliance with this Agreement.
4. Review and approve requests for information timely.

**IV. Safeguarding Information**

The Medical Examiner will use and maintain the confidentiality of all information received under this Agreement in accordance with Section 893.0551, Florida Statutes. To prevent inadvertent release or disclosure of the confidential and exempt information in the system, all users should avoid downloading and printing information from the system. Information obtained under this Agreement will NOT be disclosed to any person or entity. Medical Examiners are prohibited from requesting information on behalf of another Medical Examiner, entity or person. Any person who willfully and knowingly violates any of the provisions of this section may be found guilty of a felony and is punishable as provided in Section 893.0551, Florida Statutes.

- A. Information provided will not be used for any purposes not specifically authorized by this Agreement. Unauthorized use includes, but is not limited to, requests on behalf of another Medical Examiner, person or entity, requests not related to a legitimate purpose, personal use, and the dissemination, sharing, copying or passing of this information to unauthorized persons.
- B. Access to the information provided will be protected in such a way that unauthorized persons cannot review or retrieve the Information.
- C. Medical Examiners under the terms of this Agreement will certify their understanding of the confidential nature of the information. This certification will be made during the E-FORCSE registration process.
- D. By signing the Agreement, the representatives of the Department and Medical Examiner, on behalf of the respective Parties attest that their respective Agency procedures will ensure the confidentiality of the information provided will be maintained.

**V. Privacy of Controlled Substance Dispensing Information**

- A. All information from E-FORCSE disseminated in any form to any entity is considered protected health information and any and all applicable federal and state laws, including the Health Insurance Portability and Accountability Act (HIPAA), govern the use of it.
- B. All information provided to a Medical Examiner, entity, or individual will be labeled "CONFIDENTIAL: This information obtained from E-FORCSE contains confidential controlled substance prescription dispensing information."

- C. It is the Medical Examiner's duty and responsibility to maintain the confidential and exempt status of any Information received from E-FORCSE.

## **VI. Compliance and Control Measures**

- A. Misuse of Confidential Protected Health Information. The Medical Examiner must notify in writing the Department following the determination that information has been compromised by any unauthorized access, distribution, use, modification, or disclosure, within 30 days of such determination. The statement to the Department must provide the date and the number of records affected by any unauthorized access, distribution, use, modification, or disclosure of personal information. Further, as provided in section 501.171, Florida Statutes, the document must include: Synopsis of security breach, Policy/incident report, Number of affected persons, Security policy, Recovery steps, and Contact information to obtain additional information.

## **VII. Terms and Terminations**

If the Program Manager or staff becomes aware of an alleged failure by the Medical Examiner to comply with this Agreement or section 893.0551(5), Florida Statutes, , the Program Manager, within one business day of discovery, shall suspend the access of the Medical Examiner and notify the Medical Examiner of the suspension. The Medical Examiner shall investigate the alleged compliance failure and report the findings to the Program Manager. The Program Manager shall determine whether the Medical Examiner's access should be reinstated. Prior to reinstatement, the Medical Examiner must submit proof of completion of the E-FORCSE Information Security and Privacy Training Course, within 30 days.

## **VIII. Disclaimers of Warranty and Liability**

- A. The Department makes no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information in E-FORCSE, and expressly disclaims liability for errors and omissions in the contents of information.
- B. E-FORCSE records are based on information submitted by pharmacies and dispensing health care practitioners.

**FORM INSTRUCTIONS:** This is an adobe fillable form. Once complete, click on the “Submit Form” button in the purple box at the top of the form. Type in your email address and full name and click send.

Medical Examiner District		
Medical Examiner Name	Title	
Phone Number	Email Address	
Signature:  <i>(Format for electronic signature: //John F. Doe//)</i>	Date:	
Agency Administrator Name	Title	Employee ID
Telephone Number	Email Address	
Signature:  <i>(Format for electronic signature: //John F. Doe//)</i>	Date:	
Florida Department of Health- Prescription Drug Monitoring Program		
Name	Title	
Phone Number	Email Address	
Signature:  <i>(Format for electronic signature: //John F. Doe//)</i>	Date:	



**FLORIDA MEDICAL EXAMINER  
USER AGREEMENT  
between  
Prescription Drug Monitoring Program  
and**

---

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Medical Examiner Name	Title	
Phone Number	Email Address	
Signature:  (Format for electronic signature: //John F. Doe//)	Date:	
Agency Administrator Name	Title	Employee ID
Telephone Number	Email Address	
Signature:  (Format for electronic signature: //John F. Doe//)	Date:	
Florida Department of Health- Prescription Drug Monitoring Program		
Name	Title	
Phone Number	Email Address	
Signature:  (Format for electronic signature: //John F. Doe//)	Date:	



## MEDICAL EXAMINER and DESIGNEE REGISTRATION

E-FORCSE® requires that every individual register as a separate user, using their email address as their username within the system. The registration process is comprised of three screens: the account settings screen, the role selection screen, and the demographics screen. All three screens must be filled out before the user can successfully submit their registration for process.

### Registration Process

- 1 To request a new account in PMP AWARe, open an Internet browser window and navigate to: <https://florida.pmpaware.net>.
- 2 Click the **Create Account** link. The next screen requires the user to enter a valid email address and select a password. The password must be entered a second time for validation. Note: the password must contain 10 characters, including 1 capital letter and 1 special character (such as !, @, #, \$). Click **Save and Continue**.
- 3 Click on the **+Other** link and select the **Medical Examiner/Coroner** (Administrator) or **Medical Examiner—Delegate** (all other users) role. Click **Save and Continue**.

- 4 Enter the following personal information and employer information.

**Note: Required fields are indicated with a red asterisk.**

*Personal Information:* Enter employee identification number or badge number, position, name, date of birth, and primary contact phone number.

*Employer Information:* Enter agency name, address, and phone number.

*Delegate (Designee) Information:* All designees should enter the email of their Medical Examiner/Coroner (Administrator) as their "Selected Supervisor".

Once complete click **Submit Your Registration**.

- 5 Please add [no-reply-pmpaware@globalnotifications.com](mailto:no-reply-pmpaware@globalnotifications.com) to your email address book to ensure that you receive system-generated emails. If additional validation documents are required, you will receive a separate email with forms and instructions.
- 6 After the user submits their registration, PMP AWARe sends an email to the supplied email address asking for verification of an active email address. The link contained within the email is only valid for 20 minutes.
- 7 Once your registration is approved, you will be notified via email.
- 8 **Registration is complete.** Agency administrators with designees will need to approve their designee(s) access. Follow the detailed instructions in the **PMP AWARe User Support Manual** located on your **Dashboard** to approve their account.

For more information visit [www.e-forcse.com](http://www.e-forcse.com).

For technical assistance, please contact our Help Desk at (877) 719-3120.

**Log In**

Email

Password

[Reset Password](#)

**Log In**

[Create an Account](#)

**Create an Account**

Email

Password

Password Confirmation

**Save and Continue**

**Registration Process**

Select your User Roles

+ Healthcare Professional

+ Agency Administration

+ Law Enforcement

+ Other

**Save and Continue**



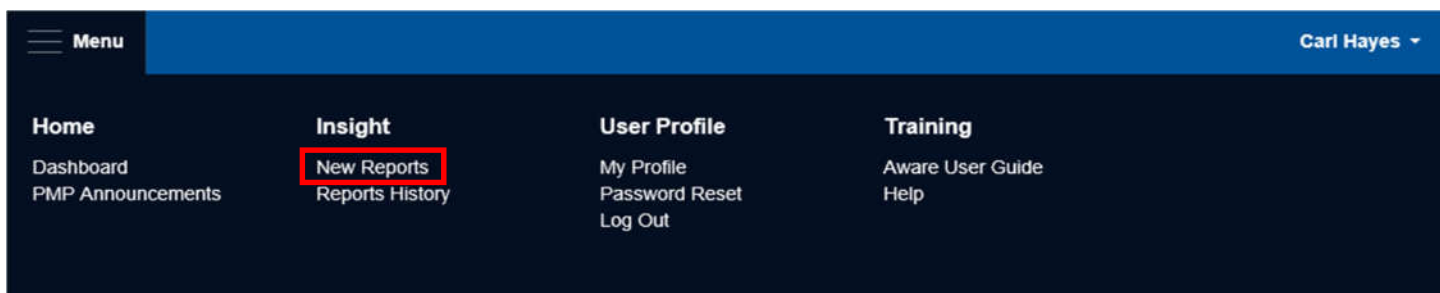


## MEDICAL EXAMINER and DESIGNEE REPORT REQUESTS

Authorized users of a District Medical Examiner office may request information from E-FORCSE® when conducting an authorized investigation under section 406.11, Florida Statutes to determine the cause of death of an individual. More detailed information concerning access authority is provided in sections 893.055 and 893.0551, Florida Statutes.

**Perform the following steps when making a request in PMP AWARe, the service provider for E-FORCSE®:**

- 1 Open an Internet browser window and navigate to: <https://florida.pmpaware.net>. Login using the email address and password created during your registration. *If a password reset is needed, use the [Reset Password](#) link.*
- 2 Click the **Menu** button, then under **Insight**, choose **New Reports**.



- 3 Click on the **Investigative Patient Request** link.

### PMP AWARe Reports

Report Name	Description
Investigative Patient Request	Allows broader searches for a single or multiple patients by name, identification number, or address.

- 4 Enter the desired information in the **Request Purpose and Request Criteria** sections of the request form. Other required fields are marked with a red asterisk and include: Investigation Type, Case Number, Prescriber, Dispenser, or Patient Information, and the report period.



- 5 Click **Run Report**. A Report Creation message is displayed on the screen.
- 6 Report results are returned to **Menu>Insight>Reports History** and the requestor will be notified of the approval of their request via email. The report status will be listed as "In Review" until approved by E-FORCSE®.

*Information obtained from E-FORCSE® contains confidential controlled substance dispensing information. Improper release and disclosure of confidential information may be a third degree felony. The Department makes no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information in E-FORCSE, and expressly disclaims liability for errors and omissions in the contents of information.*

For more information visit [www.e-forcse.com](http://www.e-forcse.com)  
For technical assistance call (877) 719-3120.

