

MEDICAL EXAMINERS COMMISSION MEETING

Renaissance at World Golf Village
500 South Legacy Trail
St. Augustine, Florida
September 25, 2013
10:30 A.M.

Dr. Hyma called the meeting of the Medical Examiners Commission to order at **10:30 A.M.** at the Renaissance at World Golf Village, in St. Augustine, Florida. He welcomed everyone to the meeting and asked Commission members, staff, and audience members to introduce themselves.

Commission members present:

Bruce A. Hyma, M.D., District 11 Medical Examiner
Russell S. Vega, M.D., District 12 Medical Examiner
Robert J. Krauss, J.D., Chief Assistant Attorney General, Florida Office of the Attorney General
Hon. Angela B. Corey, J.D., State Attorney, 4th Judicial Circuit
Hon. James S. Purdy, J.D., Public Defender, 7th Judicial Circuit
Ken Jones, Deputy State Registrar, Florida Department of Health
Hon. Rick Beseler, Clay County Sheriff
Robin Giddens Sheppard, L.F.D., VP/Funeral Director, Hardage-Giddens Funeral Homes
Hon. Carol Whitmore, Manatee County Commissioner

FDLE/Commission staff present:

Administrator/Staff Director Margaret Edwards	Government Analyst Doug Culbertson
Research & Training Specialist Danielle Miller	Senior Attorney Jim Martin
Administrative Assistant Debbie Turvaville	Bureau Chief Vickie Gardner

District Medical Examiners present:

Jan C. Garavaglia, M.D. (District 9)	Stephen J. Nelson, M.A., M.D. (District 10)
Mary Mainland, M.D. (District 13)	Barbara C. Wolf, M.D. (District 5)
Jon R. Thogmartin, M.D. (District 6)	Craig Mallak, M.D. (District 17)
Marie A. Herrmann, M.D. (District 7 & 24)	Sajid S. Qaiser, M.D. (District 18)
Predrag Bulic, M.D. (District 23)	

Other District personnel present:

Bill Pellan (District 6)	Chris Boden (District 7 & 24)
Aurelian Nicolaescu, M.D. (District 4)	Robert Pfalzgraf, M.D. (District 21)
Richard Huckabee (District 18)	Koni Rogers (District 23)
Kent Holloway (District 23)	Kelly Boulos (District 23)
Clint Clark (District 23)	Jessica Erausquin (District 23)
Lindsey Bayer (District 5)	Brett Harding (District 5)
Jeff Martin (District 1)	Lisa Flannagan, M.D. (District 2)
Sheri Blanton (District 9)	

Guests present:

Lynetta Oxendine (TransLife)	Kelli Worst (LifeNet Health of FL)
Losonia Stewart (LifeNet Health of FL)	Ricardo Camacho (UF)
Rebecca Sayer (LifeLink)	Jon Crisler (Lions Eye Inst.)
Liz Heid (TransLife)	Beth Withrow (LEITR)
Laurie Ripp (RTI Donor Services)	Vickie Maloney (UF)
Jody Brandenburg (Board of Funeral, Cemetery & Consumer Services)	Michael Warren, Ph.D. (C.A. Pound Lab/UF)
Kimberly Owens (TBI/Med. Eye Bank of FL)	Bill Cassarly (RTI Donor Services)
Karin Frosio (LifeNet Health of FL)	Chris Bronaugh (TBI/Med. Eye Bank of FL)
Gary Sammet (Office of Vital Statistics)	Chandler Brownlee (LifeNet Health of FL)
Linda Sullivan (Wuesthoff Reference Lab)	Brian Clarke (City of Jacksonville)
Daniel Schultz, M.D. (LifeLink/District 12)	Nancy Williams (Wuesthoff Reference Lab)
	Bruce Goldberger, Ph.D. (UF/District 8)

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

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ISSUE NUMBER 1: INFORMATIONAL ITEMS

- Dr. Hyma introduced the three new Commission members who were appointed on August 15, 2013. Robin Giddens Sheppard, LFD, is the new funeral home director representative; Honorable Robert Beseler, Clay County Sheriff, is now the sheriff representative; and Honorable Carol Whitmore, Manatee County Commissioner, is the county commissioner representative.
- Dr. Hyma announced that Public Defender James Purdy, J.D., 7th Judicial Circuit, whose term expired on July 1, 2013, was reappointed for another four-year term. The Florida Public Defender Association recommended that Mr. Purdy be reappointed, which was supported by FDLE.
- Dr. Hyma reported that the term of District 12 Medical Examiner Russell Vega, M.D., one of two medical examiners on the MEC, expired on July 1, 2012. All necessary paperwork relating to his reappointment was submitted to the Governor's Appointment Office in August 2012, and Dr. Vega continues to serve pending action by the Governor.
- Ms. Edwards reported that the reappointments of district medical examiners for districts 1, 2, 5, 6, 8, 9, 10, 12, and 14 were finalized by the Governor on Friday, September 20th. The term of reappointment for DMEs in districts 1, 2, 5, and 6 ends on July 1, 2015; for districts 8, 9, 10, 12 and 14, the reappointment term ends on July 1, 2016.
- Honorable Angela Corey, 4th Judicial Circuit State Attorney, reported that the Governor had requested additional names for the District 4 Medical Examiner position, and a search

committee has been assembled to provide additional applicants. As of September 25, 2013, two applications have been received by Ms. Corey's office. The search is advertised through October 18th. Mr. Brian Clarke, Office of the Mayor, City of Jacksonville, expressed a desire for the Mayor's office to be involved in the selection process.

- Ms. Miller reported that the 2012 Drugs Identified in Deceased Persons Report was released at a press conference at the Capitol on September 24, 2013. The full report can be found on the FDLE public website: http://www.fdle.state.fl.us/Content/getdoc/79241c67-253b-45eb-a238-1a07cf4a2a0c/2012-Drug-Report_Final.aspx.
- Ms. Miller reported that the 2012 Annual Workload Report was finalized in August. She stated that the report was sent to Commission members and district medical examiners and is available on the MEC website. Dr. Hyma reported that the Commission has received an email regarding the number of pending cases still listed in the Annual Workload Report, and stated the number was small in relation to the whole report.

ISSUE NUMBER 2: TRANSFER OF SERVICES FOR LAFAYETTE COUNTY

Ms. Edwards informed the Commission that in June 2013, staff received calls from, and letters on behalf of, Mr. Steve Green, President of Joe P. Burns Funeral Homes, requesting a transfer of medical examiner coverage for Lafayette County from District 4 to District 2. Lafayette County is located in District 3, and received medical examiner services from the District 4 Medical Examiner's Office. The primary reason for the request was to reduce the travel distance for the funeral home since its primary facilities are in the District 2 coverage area. Without a change, the funeral home would be forced to increase costs to Lafayette County by about 75%.

Third Judicial Circuit State Attorney Siegmeister and District 4 Medical Examiner Valerie Rao, M.D., agreed to the transfer, and District 2 Medical Examiner David Stewart, M.D., agreed to accept cases from Lafayette County effective August 1, 2013. Section 406.05, F.S., requires the Commission to establish medical examiner districts; Rule 11G-5.002, F.A.C., designates the counties and medical examiner districts with which they are aligned. MEC approval is, therefore, required for changes in service provision.

A MOTION WAS MADE, SECONDED AND PASSED UNANIMOUSLY, THAT THE COMMISSION APPROVE THE TRANSFER OF SERVICES FOR LAFAYETTE COUNTY FROM DISTRICT 4 TO DISTRICT 2.

ISSUE NUMBER 3: UNIDENTIFIED DECEASED INITIATIVE

Mr. Culbertson informed the Commission and those in attendance that for several months, the FDLE Bureau of Professional Development and Missing Endangered Persons Information Clearinghouse (MEPIC) have worked on developing an unidentified deceased online training module to be used as an additional tool for law enforcement personnel and medical examiners. To date, the Bureau of Professional Development has completed the verbal portion of the training module. Footage for the video was shot, but is being edited to delete confidential information present in some footage, and to correct the poor audio/video quality. The video features District 11 Medical Examiner and

Commission Chair Bruce Hyma, M.D., and Detective Julian Garcia of the Miami Gardens Police Department. The anticipated completion date for this project is December 2013.

Mr. Culbertson announced that Michael Nance, the regional system administrator for the National Missing and Unidentified Persons System (NamUs), will be an exhibitor at the Florida International Association for Identification Conference from October 20 – 24, 2013, at the Miami Hilton on Biscayne Boulevard. He is available to provide training on NamUs software changes to interested persons. This information was sent to all district medical examiners.

ISSUE NUMBER 4: REPORT OF 2013 EDUCATIONAL CONFERENCE, JULY 10-12, 2013

Dr. Bruce Goldberger reported that the 2013 Annual Florida Medical Examiner Educational Conference that occurred July 10-12 in Sarasota at the Ritz Carlton was a success. There were about 100 attendees; another 25 persons were there to honor Dr. Joe Davis, the long-time Miami-Dade medical examiner who served for four decades, and who died in March. Dr. Goldberger thanked everyone for their participation.

ISSUE NUMBER 5: SOLICITATION FOR 2014 EDUCATIONAL CONFERENCE

Dr. Goldberger informed the Commission that, so far, there were no volunteers to host the 2014 Educational Conference. He asked that anyone who was interested to please contact his office as soon as possible because the time is quickly approaching. They have tentatively identified a hotel in Orlando for the week following the Fourth of July.

Dr. Goldberger also advised that FAME had been contacted by Phil Levine, D.D.S., with an invitation to jointly host the annual FAME conference with his forensic conference. This conference is scheduled for some time in August or September 2014 in the Pensacola area. Dr. Goldberger asked for a show of hands of interested attendees in a joint conference and announced that ultimately FAME will make the decision.

ISSUE NUMBER 6: DRUG DATA REPORTING AND ROLE OF QAC

Associate Medical Examiner Robert Pfalzgraf, M.D., from District 21, explained that during the Quality Assurance Committee's (QAC) review of drug data for the 2012 report, questions were raised by him and MEC member Russell Vega, M.D., regarding the reporting of morphine in heroin deaths when the decedent was not taking morphine independently. Similarly, reporting metabolites (e.g. of benzodiazepines), unless they are taken independent of the parent drug, was questioned. Detailed instructions on how to report drugs found in deceased persons is sent to all districts each January, and instructions for the 2012 interim and final reports were distributed in January 2012. The instructions explained how to report a metabolite as the cause of death or present at time of death. Dr. Pfalzgraf noted, also, that there were misleading statements and charts contained in the report. He made three recommendations: 1) maintain the status quo; 2) discontinue the reporting system; or 3) make a few changes, such as, adding checkboxes to distinguish among the parent drug, metabolite/contaminant or unknown.

District 6 Medical Examiner Jon Thogmartin, M.D., addressed the reporting concerns, but said that the current structure was the most efficient way of reporting the information. He agreed with Dr.

Pfalzgraf that there are problems with the construction of the report, but noted that most metabolites have been removed from the report. He noted, further, that there is a problem with districts reporting things differently since some district staffs have not seen the instructions. Dr. Thogmartin announced that he would like to resign as chair of the QAC after serving in that capacity for two years. Pursuant to Dr. Hyma's request, Dr. Thogmartin will forward names for consideration as a replacement. Additionally, a committee will be appointed to work with staff to ensure the data are being accurately described in the published reports.

ISSUE NUMBER 7: DISCUSSION OF DEFINITION OF TERMS IN ANNUAL WORKLOAD REPORT

Dr. Hyma informed the Commission that at their July meeting, FAME agreed with the updated form for reporting SIDS/SUID deaths and in-custody deaths in the Annual Workload Report. He reminded everyone that this form would not be utilized until the 2014 Annual Workload Report reporting period. District 5 Medical Examiner Barbara Wolf, M.D., will work with staff to give examples to ensure consistency in reporting the data.

ISSUE NUMBER 8: OTHER BUSINESS

- Dr. Hyma reported that the excavation of remains had begun at the former Dozier School for Boys in Jackson County. Dr. Hyma noted that District 14 Medical Examiner Michael Hunter, M.D. was acting as a consultant, and that the purpose of the excavation was to identify bodies, not to determine a cause and manner of death. To date, two graves have been exhumed.
- Deputy State Registrar Ken Jones provided an update on the Electronic Death Registration System (EDRS), which is 98 percent implemented. Mr. Jones also mentioned that the Department of Health, Office of Vital Statistics has entered into a contract with the Centers for Disease Control to help improve the reporting of cause and manner of deaths in Florida via the EDRS. Mr. Gary Sammet from the Office of Vital Statistics explained that medical examiners can now upload data directly to the system, eliminating the need to double-key entries; districts 11 and 12 are currently using this function. Medical examiner offices are also able to load data from cremation reviews.
- District 23 Medical Examiner, Predrag Bulic, M.D., reported that his office has received accreditation from the National Association of Medical Examiners (NAME), and thanked his office staff for their hard work during the accreditation process.

With no further business to come before the Commission, the meeting was adjourned at 12:40 P.M.