

MEDICAL EXAMINERS COMMISSION MEETING

Orlando Marriott Lake Mary
1501 International Parkway
Lake Mary, FL 32751
February 4, 2025, 10:00 AM EST

Commission Chairman Barbara C. Wolf, M.D., called the meeting of the Medical Examiners Commission to order at **10:00 AM**. She advised those in the audience that the meetings of the Medical Examiners Commission are open to the public and that members of the public will be allowed five minutes to speak. She then welcomed everyone to the meeting and asked Commission members, staff, and audience members to introduce themselves.

Commission members present:

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

Commission staff present:

Brett Kirkland, Ph.D.	Megan Neel
Jeff Dambly, J.D.	Ashley Williams

District Medical Examiners present:

Deanna Oleske, M.D. (District 1)	Sajid S. Qaiser, M.D. (District 18)
Catherine Miller, M.D. (District 15)	Patricia A. Aronica, M.D. (District 19)
Russell S. Vega, M.D. (Districts 12 & 22)	Jon R. Thogmartin, M.D. (District 6)

Other District personnel present:

Rob Padrino (District 9/25)	Karla Orozco (District 7)
Sheri Blanton (District 9/25)	Ralph Saccone (District 15)
Lindsey Bayer (District 5/24)	Paul Petrino (District 15)
Dan Schebler (District 1)	

Guests present:

Matthew Sharp (FDLE)	Rachel Bartolowits (Lake County Attorney's Office)
Robert Kruger (Marion County Chief of EMS)	Heather Markuson (LifeQuest Organ Recovery)
James Banta (Marion County Fire Chief)	Shane Lockwood (Florida Department of Health, St. Johns County)
Cassidy Perdue (Seminole County Attorney's Office)	Linda McCluskey (LifeLink of Florida)
Matthew Minter (Marion County Attorney's Office)	Brittany Hill (LifeLink of Florida)
Thomas Carpenter (Lake County, Assistant County Manager)	Jason Byrd (FEMORS)
Kristian Swenson (Seminole County, Assistant County Manager)	Allison Thall (Seminole County Community Service Director)
Ginny McBride (Our Legacy)	Denise Lyn (Citrus County Attorney's Office)
	Darren Lahrman (LifeLink of Florida)

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

A MOTION WAS MADE, SECONDED, AND PASSED UNANIMOUSLY FOR THE COMMISSION TO APPROVE THE MINUTES OF THE OCTOBER 29, 2024 MEDICAL EXAMINERS COMMISSION MEETING.

ISSUE NUMBER 1: INFORMATIONAL ITEMS:

- Election of Chair: Bureau Chief Brett Kirkland, Ph.D., informed the Commission that according to Florida Statute 406, the Commission needs to appoint a new chairman for the calendar year of 2025. Commission member Dr. Joshua Stephany nominated Dr. Barbara Wolf. The motion was made, seconded, and passed unanimously for the Commission to approve Dr. Barbara Wolf as the new Chairman. Dr. Wolf recused herself from voting.
- Status Report: MEC Appointments and Reappointments: Dr. Kirkland informed the Commission that he received an email from the Governor's Appointments Office regarding all appointments and reappointments of District Medical Examiners by the Commission. Dr. Kirkland advised that we are still awaiting appointments/reappointments from the Governor's Appointments Office.
- Status Report: DME Appointment and Reappointments: Dr. Kirkland informed the Commission that all district medical examiners are currently pending either appointment or reappointment. Dr. Kirkland advised we are still waiting on appointments from the Governor.
- District 8 Medical Examiner Vacancy: Joshua Stephany, M.D., informed the Commission that the District 8 District Medical Examiner's position is still vacant and has no news to report. Dr. Jon Thogmartin will continue to provide coverage. Dr. Thogmartin advised that Alachua County has two critical items to address before advertising the District 8 Medical Examiner position.
- 2025 Reappointments/ Assessments for District 8-14 & 25: Ms. Ashley Williams informed the Commission that all ballots were sent out on January 6, 2025. The results will be presented at the May MEC meeting.
- 2023 Annual Drug Report: Ms. Megan Neel informed the Commission that 2023 Annual Drug Report was published on January 9, 2025, to the website.
- 2024 Interim Drug Report: Ms. Megan Neel informed the Commission that drug data has been received and is being compiled. Ms. Neel advised the Commission that it should be published soon.
- 2024 Annual Drug Report: Ms. Neel reminded the Commission that due date for the 2024 data is now March 31, 2025. Ms. Neel advised if the districts have an issue, to reach out to her. Commission staff is aware there will be some pending cases but that can be resolved later.
- 2024 Annual Workload Report: Ms. Megan Neel advised that the deadline for the 2024 Annual Drug Report is May 31, 2025. Ms. Neel again advised if the Districts have an issue, to reach out to her.
- 2023 Paul Coverdell Forensic Science Improvement Grant Program Status Update: Ms. Ashley Williams informed the Commission that we received all but two reimbursements for 2023 Paul Coverdell Grant. Ms. Williams advised that an extension was received for the 2023 Paul Coverdell Grant but it would be closing soon.
- 2024 Paul Coverdell Forensic Science Improvement Grant Program Status Update: Ms. Ashley Williams informed the Commission that funds have been released and the FDLE Grants unit is

working on reimbursements. Ms. Williams reminded the districts to make their purchases and get the reimbursement forms submitted.

- 2025 Paul Coverdell Forensic Science Improvement Grant Program Status Update: Ms. Ashley Williams advised that proposals for the 2025 Paul Coverdell Grant will be sent out at the end of February.
- 2025 Legislative Session Update: FDLE Legal Counsel Jeff Dambly, informed the Commission of bills of interest to the Commission and the medical examiner community. Mr. Dambly advised that the Session officially begins in March, although one item to note is House Bill 231. Mr. Dambly informed that the bill has been filed, however there is no correlating Senate Bill yet. House Bill 231 provides a public record exemption of home addresses, telephone numbers, date of births, and photographs of current and former medical examiners, including the spouses and children of such medical examiners.

ISSUE NUMBER 2: Seminole and Lake County- District Presentation

- Seminole County Assistant County Manager Kristian Swenson and Lake County Assistant County Manager, Tommy Carpenter presented to the Commission requesting a redistricting of Medical Examiner District 5. Specifically, requesting that Lake County be removed from District 5 and placed with District 24. Mr. Swenson provided the Commission with information of how Districts 5 and 24 are functioning. District 5 consists of Citrus, Hernando, Lake, Marion and Sumter counties. District 24 consists of Seminole County alone. Both Districts 5 and 24 operate under an interlocal agreement that is valid until September 30, 2029. The services are provided under the medical examiner facility located in Leesburg, Florida, Lake County. The funding model of the partnership is based on population, not services received. There is a Medical Examiner Advisory Committee composed of one county commissioner from each of the six counties, each of whom have one vote. The issue presented is the funding model that is based upon population. Lake and Seminole county are subsidized, effectively leaving Lake and Seminole County paying forty nine percent of the cost but receiving only thirty-six percent of the services. The current facility is also not large enough for all the counties, however there is a new facility planned in Summerfield, Florida, Marion County. Mr. Swenson reiterated that Seminole and Lake County are only seeking a redistricting and not asking for any change to the interlocal agreement. Both Seminole and Lake County plan to operate as the same.
- Members of the Commission had follow-up questions to Mr. Swenson and Mr. Carpenter's presentation. Ms. Amira Fox inquired about the negotiations. Ms. Fox stated that per the presentation, Seminole and Lake County used the justification of money and the split of costs to propose redistricting. Ms. Fox asked if the counties attempted renegotiations for split costs after the signing of the interlocal agreement. Mr. Swenson responded, advising that this was not the Counties' first step. Mr. Swenson advised that they have spent the last two years trying to renegotiate, however, this has not been successful. Mr. Swenson stated that Lake and Seminole Counties signed the interlocal agreement to keep from having a disruption of services. Ms. Fox asked who the counties negotiated with. Mr. Swenson advised that negotiations has been attempted among the medical examiner board of District 5 and 24, with each county having one vote each. Ms. Fox asked Mr. Swenson and Mr. Carpenter if they have addressed the issues with the sheriff's offices, police agencies, funeral home directors, state attorney's or public defender's office within the jurisdictions. Ms. Fox advised that the state attorney had reached out to her, and he opposed. Sheriff Johnson also responded advising that he had spoken to two sheriffs, and they informed him that they were unaware of issues and the pending request for redistricting of districts 5 and 24. Mr. Nick Cox addressed the Commission and both Mr. Swenson and Mr. Carpenter, stating that given the information that was presented to the Commission was insufficient and further research was needed before making a decision on redistricting. Mr. Swenson stated that the Lake and Seminole County would be willing to be more

inclusive, reaching out to the sheriff's offices, funeral home directors, and state attorneys to provide additional information needed.

- James Banta, Fire Chief of Marion County Fire Rescue and the Administrative Coordinator for Medical Examiners, District 5 and 24, also addressed the Commission. Mr. Banta stated that in 2018, District 24 faced a critical challenge when they found themselves without medical examiner services. In response, an interlocal agreement was established allowing them to share medical examiner services and facilities with District 5. Recognizing the urgency of their situation, the agreement also included an annual facility offset fee for District 24 to help cover the expedited need for a new facility. Since then, the governments of both districts have remained under the oversight of the Medical Examiner's Advisory Committee. In 2020, at the request of the medical examiner, Dr. Wolf and the Advisory Committee, Marion County has been leading the effort to establish a new facility. Mr. Banta advised that the process has been transparent, with full engagement from both districts. Each milestone, including the decision to apportion cost based on population, has been unanimously approved by all members of the Advisory Committee and that has been the way the cost was apportioned. Mr. Banta stated that despite the agreement, District 24, along with Lake County, has chosen to challenge the agreed upon cost methodology and is seeking to withdraw from the plan entirely in pursuit of an independent solution. Mr. Banta informed the Commission that the withdrawal came after significant commitments have been made to date. Marion County has advanced six million dollars in total; six million for the land and three million in planning. Mr. Banta asked on behalf of Marion County and the remaining counties, that the Commission carefully consider the significant financial and legal implications of allowing Lake County to leave District 5 and join District 24.
- Matthew Minter, Marion County Attorney addressed the Commission. Mr. Minter expressed his concern that based on all the information presented to the Commission, it leaves the Commission not fully advised in the premises of what is being proposed by Lake and Seminole County. Mr. Minter is concerned about what happens to the other four counties if the redistricting moves forward. It potentially leaves the impression that the other four counties are going to be evicted, even though Seminole County said that was not their intent. Mr. Minter also informed the Commission that in 2023 the members on the Advisory Committee for Districts 5 and 24 were presented options for the funding proration. One such option was population, and then another option for autopsy, external exam, another for autopsy fees and another for autopsy death ratio. All three of the other options were a service-based options. Mr. Minter stated that there has not been effective communications between the boards of county commissioners of several counties. Mr. Minter believes that it would be advantageous to all the counties to utilize the dispute resolution provision in the agreement or perhaps get a mediator to help the counties to work through the options.
- Denise Lyn, Citrus County Attorney, addressed the Commission. Ms. Lyn reiterated everything that Mr. Minter stated. Ms. Lyn asked that the Commission to table the request or deny the request and allow the parties to get together and try to work out the logistics under the dispute resolution process. Ms. Lyn advised that she had been in communication with the Assistant County Attorney for Hernando County and informed her Hernando County was against redistricting. FDLE Legal Counsel Jeff Dambly advised that he received an email from the Assistant County Attorney for Hernando County indicating that the Hernando County Board of Commissioners opposes the redistricting as well.
- Ms. Amira Fox made a motion to deny Lake and Seminole Counties request for redistricting with the caveat that districts or the counties can bring the discussion before the Commission when more information is available, if they choose.

A MOTION WAS MADE, SECONDED, AND PASSED TO DENY THE REDISTRICTING OF LAKE AND SEMINOLE COUNTY WITH THE CAVEAT THAT THE DISTRICTS OR THE COUNTIES COULD

BRING THE DISCUSSION BEFORE THE COMMISSION WHEN MORE INFORMATION IS AVAILABLE.

ISSUE NUMBER 3: MASS FATALITY PLANS/ FEMORS

- Florida Emergency Mortuary Operations Response System Update: Dr. Jason Byrd, Commander for the Florida Emergency Mortuary Operations Response System (FEMORS) informed the Commission per FEMORS annual deliverable contract with the Department of Health, the review of the state mass fatality plan compared to the FEMORS field operations guide has been submitted to the Commission for consideration on some edits and changes to the mass fatality plan. Dr. Byrd stated that Dr. Joshua Stephany has worked with him and provided feedback. Dr. Stephany indicated that he would like to see updated language on the use of a CT system and medical examiner's offices instead of just traditional language. Also on the next mass fatality plan, there would be expansion on the use of RAPID DNA instrumentation. Dr. Byrd advised that he was aware of some incidents in Florida where the individual medical examiner districts have brought in RAPID DNA on their own, but there is a possibility to have a state level contract through the Department of Health for RAPID DNA as a vendor. Additionally, Dr. Byrd advised that another change he recommended was to add an appendix or addendum to the state Mass Fatality Plan. Another recommendation is the ANSI/ASB documents that have come out of the Disaster Victim Identification Committee with the National Institute of Standards and Technology, they have adopted both best practices recommendations and standards, even though the standards are not enforceable. They are looking for voluntary compliance, but those documents are reviewed on a national scale by ANSI once every five years to keep them updated. Dr. Byrd stated that in the proposed changes to the Mass Fatality Plan, links to those documents have been provided for everyone to review and he encourages all the districts to review those documents and incorporate them. Dr. Byrd clarified, there were no recommendations of procedural changes to the Mass Fatality Plan. Bureau Chief Brett Kirkland, Ph.D., inquired if Dr. Stephany would be willing to work with Commission staff to put in some of the recommendations that were mentioned on updating the CT section and working with Dr. Byrd on the RAPID DNA instrumentation to draft another iteration for the May meeting. Dr. Stephany stated he would.
- District 1 Medical Examiner, Dr. Deanna Oleske, informed the Commission that District 1 has an ANDE machine that they would be willing to deploy to whatever mass disaster that there may be in the state of Florida. Dr. Oleske proposed that maybe the Department of Health could try to get some money for the supplies, therefore when something happens, District 1 would be able to assist. Dr. Oleske stated that her staff is trained and willing to help.
- Bureau Chief Brett Kirkland, Ph.D., informed the Commission that staff has recommended an update to the Mass Fatality Plan. Dr. Kirkland advised on page 23 of the Mass Fatality Plan, staff recommends that whenever a district reports fatalities to the Commission, that the districts also include an indication of whether that death is direct or indirect. Furthermore, the actual definition of direct or indirect will be provided to the districts as defined by the US Department of Health and National Vital Statistics. Dr. Kirkland informed that often staff is put in a position where they must gain follow up information with the medical examiners, so to get the information in a timely manner, staff is requesting the information to be added to the death notification form. Dr. Kirkland indicated that there would be a check box with a definition as defined as death directly attributable to the forces of the disaster, by direct consequence of these forces, such as a structural collapse, flying debris or radiation exposure, or as an indirect related death, which occurs when an unsafe or unhealthy condition present during any phase of the disaster, such as, during the lead up to an event or preparation during the actual occurrence or post event during clean up after a disaster that contributes to the overall death. Dr. Kirkland asked the Commission to make a motion to accept the change to the Mass Fatality Plan.

A MOTION WAS MADE, SECONDED, AND PASSED UNANIMOUSLY FOR THE COMMISSION TO APPROVE THE CHANGE TO THE MASS FATALITY PLAN.

ISSUE NUMBER 4: ORGAN PROCURMENT ORGANIZATION ANNUAL REPORT

- Ms. Ginny McBride of Our Legacy presented the 2024 annual report for Florida's organ procurement organizations. Ms. McBride reported that there were no medical examiner denials in 2024 for whole and partial organ donors. Ms. McBride informed the Commission that in 2024, that there were 2,900 people who received transplants in the state of Florida. Ms. McBride also informed the Commission that fifty five percent of deceased donor transplants fell under the jurisdiction of medical examiners. Ms. McBride thanked the medical examiners for the outstanding relationship they have with the organ procurement organizations in Florida.

ISSUE NUMBER 5: EMERGING DRUGS UPDATE

- Bureau Chief Brett Kirkland, Ph.D., provided the Commission with an update on new drug trends on behalf of Bruce Goldberger, Ph.D. There were several new and significant findings of drugs in decedents during the last quarter. The directors are reporting a significant decrease in the number of fatal drug overdoses. Most notably, the prevalence of fentanyl in decedents is decreasing statewide. Novel synthetic opioids identified in casework include acetylfentanyl, carfentanil, ortho-methylfentanyl, and para-fluorofentanyl. Other drugs identified in decedents include bromazolam, N,N-dimethylpentylone, N-isopropyl butylone, and MDMB-4en-PINACA.

ISSUE NUMBER 6: OTHER BUSINESS

- District 5 & 24 Medical Examiner's Office Director of Operations, Lindsey Bayer addressed the Commission regarding public records requests and the new HIPAA Law that has become problematic. Ms. Bayer informed the Commission of on-going issues since a federal initiative has been initiated and new requirements for attestation form medical examiner's offices on public records requests from medical facilities. Ms. Bayer advised that District 5 & 24 received from Health and Human services and from the hospitals that an attestation now must be included with every single records request for every single person for whom medical records are needed, regardless of whether the records are being requested from hospitals, pharmacies, private practitioners or other entities. The attestations basically already have the same information that is included on regular records requests. Another issue that districts are encountering is, each entity are requesting an attestation with their name on it, and some have multiple forms. The communication among the hospitals is nonexistent and there is no standardization. This is causing turnaround time for medical records to be delayed, where before the turnaround time was twenty-four hours, now it can take up to three weeks. This is also delaying the signing off on death certificates and creating a backlog. Ms. Bayer inquired if the Commission could reach out to the surgeon general's office and ask for a standardized form that could be used across the board for record requests. Dr. Kirkland advised that staff would reach out to the available stakeholders to work towards a resolution.
- 2025 FAME Educational Conference: District 1 Medical Examiner, Dr. Deanna Oleske informed the Commission that the next FAME Conference is going to be held in September 10-12, 2025, in Fort Walton Beach Conference Center in Okaloosa County.
- District 19 Medical Examiner, Dr. Patricia Aronica informed the Commission of concerns that she has been made aware of and wanted to inform other district medical examiners. Dr. Aronica advised that there have been incidences where cases fall under the medical examiner's jurisdiction however District 19 was not notified. Dr. Aronica advised that they are only finding out through record review and unfortunately, some of the cases have gone to tissue recovery and the tissue recovery teams

have not made the district aware. Dr. Aronica informed district medical examiners that it is important to communicate with the tissue recovery teams and let them know the importance of alerting the medical examiners of the cases that fall under the ME's jurisdiction.

- District 1 Medical Examiner, Dr. Deanna Oleske informed the Commission that Research Triangle Institute (RTI), on the behalf of Bureau of Statistics, has sent out a survey to all medical examiners and coroner offices throughout the country. As of the meeting, Florida has a seventy three percent response rate for all the offices. Dr. Oleske encouraged other medical examiner districts to complete and submit the survey.

With no further business to come before the Commission, the meeting was adjourned at 11:45 A.M.