

MEDICAL EXAMINERS COMMISSION MEETING
Fairfield Inn and Suites by Marriott Daytona Beach
1820 Checkered Flag Boulevard
Daytona Beach, Florida
August 10, 2018 10:00 AM

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

Commission members present (100%):

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. James S. Purdy, J.D., Public Defender, 7th Judicial Circuit
Hon. Jeffrey Siegmeister, State Attorney, 3rd Judicial Circuit
Hon. J. Harrell Reid, Hamilton County Sheriff
Hon. Carol R. Whitmore, R.N., Manatee County Commissioner (via Teleconference)

Commission staff present:

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

District Medical Examiners present:

Jon R. Thogmartin, M.D. (District 6/7)	Joshua Stephany, M.D. (District 9/25)
Riazul H. Imami, M.D. (District 22)	Russell S. Vega, M.D. (District 12)

Other District personnel present:

Jeff Martin (District 1)	Bill Pellan (District 6/7)
Lindsey Bayer (District 5)	Aurelian Nicolaescu, M.D. (District 4)
Gregory Scharf (District 22)	Sheri Blanton (District 9/25)
Keara Dotson (District 13)	Koni Rogers (District 23)
Cathy Weldon (District 8)	Krystal Locklear (District 5)
Jeffrey Brokaw (District 4)	Karla Orozco (District 7)

Guests present:

Karen Card, DrPH (DOH)	Ken Fitzgerald (LifeNet)
Brendie Hawkins (FDLE)	James Rosa (Lions Eye Institute)
Ricardo Camacho (UF)	Rebecca Sayer (LifeLink)
Heather Hoog (RTIDS)	DiAnn McCormack (KevaLink)
Jason Lewis, J.D. (7 th Circuit SAO)	Hon. Heather Post (Volusia County Council)
Joshua Sturms (DOH)	Randolph Schilke (DOH)
George Recktenwald (Volusia Co. Manager)	Hon. Mike Chitwood (Volusia County Sheriff)
Hon. Billie Wheeler (Volusia County Council)	

A MOTION WAS MADE, SECONDED, AND PASSED UNANIMOUSLY FOR THE COMMISSION TO APPROVE THE AGENDA AS AMENDED ON AUGUST 3, 2018.

Dr. Nelson requested that the May meeting minutes be amended to add “Ph.D.” to Kathryn Minor’s name on page 1 of the minutes, and to correct Dr. Card’s title to “DrPH” on pages 1 and 15. **A MOTION WAS MADE, SECONDED, AND PASSED UNANIMOUSLY FOR THE COMMISSION TO APPROVE THE MINUTES OF THE MAY 4, 2018 MEDICAL EXAMINERS COMMISSION MEETING AS AMENDED.**

ISSUE NUMBER 1: INFORMATIONAL ITEMS

- Ms. Vickie Koenig informed the Commission that the District Medical Examiner, the Licensed Funeral Director (LFD), and the County Commissioner positions on the Medical Examiners Commission are pending reappointment 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.
- Dr. Nelson informed the Commission that the District 13 Medical Examiner Mary K. Mainland, M.D., stepped down to the deputy chief medical examiner position and Kelly Devers, M.D. was named the District 13 Medical Examiner effective August 1, 2018.
- Dr. Nelson announced that the District 4 Search Committee will meet on August 13th, and that Dr. Rao will continue to serve as District 4 Interim Medical Examiner until her replacement is hired.
- 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 both pending appointment by the Governor.
- The District Medical Examiners in District 2 (Franklin, Gadsden, Leon, Liberty, Jefferson, Taylor, and Wakulla counties), District 5 (Citrus, Hernando, Lake, Marion, and Sumter counties), District 6 (Pasco and Pinellas counties), 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), and District 23 (Flagler, Putnam, and St. Johns counties) are pending reappointment by the Governor. The remaining incumbent District Medical Examiners continue to serve until reappointed or replaced by the Governor.
- District 22 Medical Examiner Riazul H. Imami, M.D., Ph.D., was reappointed by the Governor on July 27, 2018 for a term ending July 1, 2020.
- 2017 Drugs in Deceased Persons Report: Ms. Beth McNeil announced that all of the data has been received and is currently being reviewed by the Quality Assurance Committee.
- 2017 Annual Workload Report: Ms. McNeil informed the Commission that she has received the data from all districts, and that it is currently under review. She stated that the report should be released in late September.

- 2017 The Paul Coverdell Forensic Science Improvement Grants Program Status Update: Ms. McNeil advised the Commission funding was provided to 17 districts, and that she has received 15 reimbursement requests and 2 budget amendments.
- E-FORSCE Registration for Medical Examiners: Dr. Nelson informed everyone that all medical examiners now have indirect access to the Prescription Drug Monitoring Program. Information on how to register for the program was emailed to all district medical examiner offices, is included in the MEC meeting packet, and is published on the MEC website.

ISSUE NUMBER 2: DISTRICT 7/24 MEDICAL EXAMINER UPDATE

District 7/24 Interim Medical Examiner, Jon R. Thogmartin, M.D. provided an update to the Commission regarding conditions at the District 7/24 office. Generally whenever he has reviewed an office, the office was not doing what should be done. In the case of District 7, the office was doing everything that should be done, just very slowly due to a number of redundancies. Dr. Thogmartin stated that all pending cases were now complete, and medical examiners are now working on the weekends to avoid another backlog situation.

Dr. Nelson asked if all of the concerns outlined by former District Medical Examiner Sarah H. Zydowicz, D.O. had been addressed. Dr. Thogmartin stated that the staffing she indicated as being needed was not realistic, and that the refrigerator space issue had been addressed by requiring the pathologists to work weekends. Dr. Thogmartin also indicated that the previous office policy of having the support staff proofread autopsy reports also contributed to the backlog because it would take the support staff a long time to complete the reviews. This has been corrected with the pathologists reviewing their own autopsy reports.

Mr. Purdy asked what the average staffing of a medical examiner office should be. Dr. Thogmartin indicated that the District 7 office should have adequate staffing with the reallocation of existing position(s). Dr. Thogmartin advised the Commission that District 24 (Seminole County) cases would no longer be handled by the District 7 (Volusia County) office. District 24 will contract with District 5 for medical examiner services beginning October 1, 2018. This will help keep Volusia County's case load appropriate for the staffing provided.

Dr. Thogmartin also informed the Commission that former Operations Director Lindsey Crim had accepted another position out of state, and Karla Orozco is the new interim Operations Director.

ISSUE NUMBER 3: PREGNANCY ASSOCIATED MORTALITY REVIEW COMMITTEE (PAMRC)

Dr. Nelson informed the Commission that it had been reported at the FAME Educational Conference business meeting that many district medical examiners were not reporting data to the PAMRC as required. He said that he had instructed staff to find out which districts were not in compliance, but were informed by the Florida Department of Health that such Pregnancy Associated Mortality Review Committee information is confidential. Dr. Nelson reminded the districts to cooperate and provide the requested information when contacted.

ISSUE NUMBER 4: DEPARTMENT OF HEALTH STRATEGIC PLANNING OVERSIGHT TEAM

Mr. Jim Martin informed the Commission that he attended a meeting of the Department of Health Strategic Planning Oversight Team in June. He said that the only item of interest to the medical examiner community is that funding for FEMORS that was renewed for \$3.5 million.

ISSUE NUMBER 5: FLORIDA COLD CASE ADVISORY COMMISSION

Alachua County Sheriff Sadie Darnell provided an update to the Florida Cold Case Advisory Commission. Sheriff Darnell reported that funds from the Florida Sheriffs Association had been allotted for the cold case initiative. Various methods were now being employed to solve cold cases, including genealogical DNA testing since the FDLE crime labs no longer offer mitochondrial DNA analysis. Barbara C. Wolf, M.D. is the Medical Examiner representative on that commission.

ISSUE NUMBER 6: DEPARTMENT OF HEALTH OPIOID PROJECT

Karen Card, DrPH, with the Department of Health (DOH), again appeared before the Commission to clarify the information that they are requesting from the medical examiners in opioid deaths. Dr. Card stated that a request for information was mistakenly sent out to District 17. This correspondence was targeted to those districts that were receiving supplemental funding only. She said that District 17 data would now be obtained via public records request.

Dr. Card reported that supplemental funds were being successfully spent and that the deadline for the third and fourth quarters 2017 data was August 31, 2018. She hoped to have a new project manager on board soon, and they still have one abstractor position that is vacant.

Dr. Card reported that DOH had received a second year of funding for the supplemental grant (\$192,000) and that they had successfully received funding for the University of Florida's Forensic Toxicology Lab (Bruce A. Goldberger, Ph.D.) to assist with the purchase a time-of-flight mass spectrometer for toxicology analyses.

Dr. Nelson inquired about medical examiner offices being approved for equipment purchases because it did not seem to comply with the reported scope of the supplemental funds. Mr. Purdy asked Dr. Card to provide the list of equipment to staff for dissemination to the Commission.

ISSUE NUMBER 7: UNIDENTIFIED DECEASED INITIATIVE

Brendie Hawkins, FDLE Missing Persons and Offender Registration Section, provided four success stories that were solved along with district medical examiners in whose districts the deaths occurred.

Success Story 18 – District 10 Medical Examiner (Hardee County)

This case involved a 30-50 year old white Hispanic male who died after being struck by a vehicle. CJIS Biometric Services identified the man via his fingerprints as Favel Avalos, born in Mexico. Further inquiries yielded a criminal history in Texas and Florida which provided the name Fabian Sanchez Avalos. No booking photos could be located by Texas law enforcement agencies, but the Miami-Dade Police Department located two photos of Mr. Sanchez. Despite a nearly ten year difference between the booking photos and a post-mortem photo provided by the medical examiner's office, Mr. Sanchez's appearance was virtually unchanged. On booking paperwork, law enforcement indicated that Mr. Sanchez stated his occupation as "roofer." No next of kin could be located for Mr. Sanchez. The medical examiner's office will be contacting the Consulate of Mexico for assistance in identifying possible relatives.

Success Story 19 – District 16 Medical Examiner (Monroe County)

On May 24, 2018, the Monroe County Medical Examiner's Office contacted the initiative for assistance with determining the identity of a deceased subject found in September 2017. The deceased is a 67 year old white male who was initially identified as Dennis Lee Green. The Monroe County Sheriff's Office matched the subject's fingerprints to Florida arrest records for

Dennis Green, but queries of criminal history records indicated that the subject was also known as David Eugene Speraw. In addition, a series of tips received from a citizen indicated that the deceased's true name was David Speraw, a man from Pennsylvania. With the subject's identity in doubt, the medical examiner's office requested assistance in verifying the subject's true identity.

Queries of court and criminal history records for both identities returned results in Maryland and Florida using both names. Possible driver's license photos were obtained from Pennsylvania and Alabama. A booking photo from Baltimore, Maryland matched the decedent to the name David Speraw. Open source searches located archival newspaper articles from 1990 which referenced Speraw in Pennsylvania as a person of interest in an FBI narcotics investigation.

Based on this research, the subject's birth name was determined to be David Eugene Speraw. The identity of David Lee Green appears to be either an alias adopted by the deceased or a stolen identity. No next of kin information could be located for David Speraw, but based on information provided in the citizen's tip, a possible next of kin living in Pennsylvania was identified. The medical examiner's office is currently working with the Monroe County Sheriff's Office to contact this possible relative.

Success Story 20 – District 23 Medical Examiner (Putnam County)

This case referred to an unidentified white male between 40-65 years of age who died after being struck by a motor vehicle on December 22, 1991. Despite relatively poor quality fingerprints, CJIS Biometric Services identified the subject as Hugh Daniel Dolman. Contact with Immigration and Customs Enforcement officials confirmed that the subject was a Canadian citizen who had been previously deported on two occasions: once after being charged with auto theft and driving without a license in 1971 in Florida, and again in 1989 after serving two years in a federal detention facility for illegal re-entry. Mr. Dolman was known by numerous aliases and appears to have resided in Portland, Oregon during much of his time in the United States.

The age of the records in question proved to be an impediment to locating more precise information, and Immigration and Customs Enforcement authorities indicated that Dolman's original alien file was declared lost in 2010. Mr. Dolman does not appear to have obtained any form of picture ID during his time in the United States. No driver's license records could be associated with him in either the United States or Canada. Attempts to obtain his photo from the federal Bureau of Prisons were unsuccessful. No next of kin could be identified.

Success Story 21 – District 23 Medical Examiner (Saint Johns County)

This case referred to a black male who died on May 11, 1991 after jumping in front of a tractor trailer. No age estimate was available. CJIS Biometric Services identified the subject as Arthur Walter Shannon, born in Georgia in 1937.

Mr. Shannon had a history of misdemeanor crimes from 1960-1986, with most charges related to homelessness, vagrancy, public drunkenness, and disorderly conduct. Due to the age of his arrests, most records and photographs of Mr. Shannon had been purged, but a search of the Palm Beach County archives located two sets of booking photographs from the 1980s. No next of kin could be identified for Mr. Shannon.

ISSUE NUMBER 8: DOE NETWORK

Ms. Holly Haines, with the DOE Network, provided a brief overview the DOE Network, to include assistance with the identification of unidentified deceased persons as well as those who are missing but believed to still be living.

ISSUE NUMBER 9: EMERGING DRUGS

Ms. Koenig provided the Commission with an update on new drug trends. Fentanyl and its analogs continue to be prevalent in Florida decedents. While the incidence of carfentanil has diminished, non-pharmaceutical fentanyl, methoxyacetylfentanyl, acetylfentanyl, cyclopropylfentanyl and fluoroisobutyrylfentanyl are common.

Ms. Koenig said that 5F-ADB, a synthetic cannabinoid, is becoming more common within the Florida prison and jail systems.

ISSUE NUMBER 10: 2018 FAME EDUCATIONAL CONFERENCE

Ms. Koenig reported that the 2018 FAME Educational Conference, held July 18-20, 2018, at The Mission Inn Resort & Club in Howey-in-the-Hills, was a success with around 100 attendees. The program content was excellent with positive feedback from attendees. Dr. Goldberger sent his thanks to District 14 Medical Examiner Jay Radtke, M.D., and Whit Majors.

ISSUE NUMBER 11: SOLICITATION FOR 2019 FAME EDUCATIONAL CONFERENCE

Ms. Koenig informed the Commission that District 15 Medical Examiner Michael D. Bell, M.D., had agreed to host the 2019 FAME Educational Conference. A venue in Palm Beach County for July or August 2019 is being sought. A Save-the-Date announcement will be sent once the venue and dates are finalized.

ISSUE NUMBER 12: OTHER BUSINESS

Ms. Koenig announced that the change to Florida Administrative Code recognizing District 25 becomes effective August 15, 2018.

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