

# COMMISSION ON MEDICOLEGAL INVESTIGATIONS MINUTES

March 25, 2022

The meeting of the Commission on Medicolegal Investigations was held at the Office of the Chief Medical Examiner (OCME) in Farmington, CT on Friday, March 25, 2022.

Present:                    Todd D. Fernow, J.D., Chairman (Remotely)  
                                  Celia F. Pinzi (Remotely)  
                                  Sidney M. Hopfer, Ph.D., Secretary (Remotely)  
                                  John H. Sinard, M.D., Ph.D., Vice Chairman (Remotely)  
                                  Michael M. Krinsky, MD (remotely)  
                                  Olinda Morales, Senior Staff Attorney for D.P.H (Remotely)  
                                  Susan Keane Baker, M.H.A (remotely)

Absent:                    Michael McCormack, Esquire

Also Present:            James R Gill, M.D., Chief Medical Examiner  
                                  Maura E. DeJoseph, D.O., Deputy Chief (Remotely)  
                                  Linda Sylvia, Executive Secretary  
                                  Lincoln Dwayne Gordon, Administrator

Chairman Fernow called the meeting to order at 2:12 p.m.

Chairman Fernow noted this was the annual open meeting of the Commission in which constituent groups are invited to comment and bring concerns to the Commission. For the record no members of the public were present.

The Minutes for the February 4, 2022 meeting were adopted with correction.

## Report of the Chief Medical Examiner:

COVID numbers are down. A few older death certificates need review to make sure the death certificates are properly certified.

Autopsy numbers for fiscal year 2021 is 3,103 and cremations are 22,126. Autopsy numbers are up and showing a projection for 2022 of 3,100 based on two months.

Turnaround times for last year for 60 days was 85% and for 90 days was 92%.

Bids were posted for the expansion of the facility.

Investigator scene presence for January is 91% for February 95%.

Currently we have 110 bodies in house 65 of them are over 30 days.

EDRS has expanded to all the hospitals and towns. A couple a small hospitals are still working on it and the Yale system is doing well. We still do not have our bridge and are manually entering all death certificates, overall it is a time saver.

Our two fellows are gaining more experience with less supervision although someone is available if questions arise. Their case numbers are within standards. In April they will go to Philadelphia for a few days to NMS labs. NMS has a special program for forensic pathology Fellows. They have done their crime lab rotations and have done some crime scene work as well. They have also observed testimony in court cases.

We had a deficiency hearing yesterday and, Dwayne will speak on this matter. Questions regarding overtime and staffing levels. Dr. White in the beginning of February had a major medical event and has been in the hospital since. We don't have all her medical information because of privacy but do not anticipate her coming back anytime soon or if at all. Jaime, HR has been in touch with the family along with Dr. Gill and Dr. DeJoseph offering as much support as we can.

The ACGME site visit in February went well. We have not heard anything nor did we get a call back for any major problems.

Dr. Gill has finalized all but one of Dr. White's cases.

Dwayne discussed at length the financial information reported in the Executive Summary report.

A concern regarding collecting delinquent payments from funeral homes for cremation since business will be conducted in EDRS. To conduct business in EDRS you have to have a clean account. We will ask the DPH Inspector to help this office because when we reach out to OPM to write off the debt, OPM immediately comes back to us and wants us to show every single time we tried to collect and have been told no. There would have to be a new decision made if a funeral home or cremation society owes money and not willing to pay, yet they want to transact business in the EDRS. A list of funeral homes delinquent 61 days and over was requested and Dwayne will pursue that. Commissioner Morales will address the issue with programs involved with licensing and investigation where the inspectors operate from and the EDRS system is under Vital records. A lengthy discussion issued. Dwayne will put a list of delinquent accounts over 60 days for Commission Morales to bring to DPH.

Attorney McCormack position from the Connecticut Bar Association will need to be filled. We are waiting for something in writing that indicates his intention to withdraw.

A lengthy discussion on re-appointment process for new Commissioners. The Governor's office decided the easiest way to fix the problems in appointing people is to get rid of all the vestigial language that describes how the Commission was originally filled. All the process regarding the professors from the medical and law schools has been deleted. The number of people and their constituents stays the same. This has maximum flexibility. The Commissioner of Public Health is a cabinet position. It's appointed. Has to go through the legislature. This is automatically a spot reserved on the Commission and we had the language to permit the Commissioner to appoint a designee. It was suggested that Constituencies that are leaving should suggest their own replacements. If they have names for their replacement they should propose these names to the Governor's office, if that does not happen then it will fall to the current chair. If it is going to be the chairs obligation to solicit names from the different constituencies, to send something either directly to Dwayne or the Chief that says we have these vacancies, please submit their names.

Chairman Fernow thinks that we are in the best position to send names and say please consider our appointing this person, a few positions were replaced that way. The Governor's office was perfectly willing to just circumvent the statute and do it that way until Governor Malloy suggested different, and we never got another appointment.

On a phone call regarding our unclaimed body problem, Dr. Gill had a meeting with Jo Kennedy, DDS and Miriam Miller from DPH about our legislative agenda. DSS felt that they should be covering that disposition and were working on some legislation to try and help expedite monies more quickly. Other legislative idea's put through is to give OCME the ability to take charge of the body through the probate statute allowing us to have authority or custody of the body. Another idea talks about the unclaimed and about the process how that would go through. We are actually making progress.

The election of Commission Officers was postponed.

A lengthy discussion regarding deficit was discussed with Dwayne due to the recent press about personnel issues in the executive branch. All our positions were authorized by OPM and can defend the decision and the process we went through to fill those positions.

There being no further business the meeting was adjourned at 3:15 pm.

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Sidney M. Hopfer, Ph.D.  
Secretary