

COMMISSION ON MEDICOLEGAL INVESTIGATIONS

MINUTES

February 3, 2023

The meeting of the Commission on Medicolegal Investigations was held at the Office of the Chief Medical Examiner (OCME) in Farmington, CT on Friday February 3, 2023.

Present: Todd D. Fernow, J.D. Chairman (Remotely)
Celia Pinzi (by phone)
Sidney M. Hopfer, Ph.D. Secretary (Remotely)
John H. Sinard, M.D., Vice Chairman (Remotely)
Michael Krinsky, M.D. (Remotely)
Susan Keane Baker, M.H.A. (Remotely)
Beth Frugale DPH (Remotely)

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

Chairman Fernow called the meeting to order at 2:03 p.m.

The minutes for the November 18, 2022, meeting were adopted without correction.

Chairman Fernow noted that the March 24 meeting is the open meeting where constituents are invited.

Following review of the November minutes Chairman Fernow commented on two topics: 1) Whether NAME would be inclined to modify the criteria for completion rates due to the shortage of available medical examiners and 2) the performance of autopsies on all potential drug related deaths. The inclusion of toxicology on all drug deaths would not be practical since results may take several weeks but may be critical in cases where the dealer may be prosecuted. OCME performs autopsies on all drug intoxication cases unless the individual has been admitted to a hospital (NAME standard). Studies indicate that without an autopsy an incorrect conclusion is reached 10 to 20 percent of the time. As an example, if toxicology alone, without autopsy, is performed the cause of death from an aneurysm may be incorrect. In a case such as this the toxicology report may be incidental, and the dealer could be incarcerated. Would early involvement by the State Attorney's office be beneficial?

There was a lengthy discussion regarding the role of cannabinoid use in the investigation of motor vehicle accidents. The physiological effects of cannabinoids vary greatly between individuals. In addition, the effects may not be related to blood concentration as is the case for ethanol. The Department of Public Health will be reviewing hundreds of cases to determine whether decedents in motor vehicle accidents show cannabinoid use prior to the law. Discussion continued regarding cannabinoid use including potency, synthetics, edibles, and packaging.

Report of the Chief:

The total number of autopsies for 2022 was 3,131 compared to just over 3,200 during the prior year. Turnaround times for 2022 are not complete because some cases are still pending for November and December. Completion rates are 90% for 90 days and in the 80% range for 60 days due to shortage of staff.

The Office has vacancies for two Medical Examiner positions.

Investigator scene presence for November and December was 99% and 96% respectively. Overall scene presence for 2022 was 97% or approximately 2,600 deaths.

The present facility and storage continue to be a challenge. An architect has been retained by the Department of Administrative Services. Expansion of the present facility or the building of a new facility can now be determined. The present Statute dictates the Office must be located on the grounds of a teaching hospital. The architectural firm will report on the various possibilities. Regardless, the Office must remain open and functional during the transition.

Currently there are 63 unclaimed bodies over 30 days and 117 bodies currently in house. A few cases are waiting pick up by funeral homes.

OCME will present testimony to the Appropriations Committee on February 21, 2023, at 1:30 p.m.

DAS has recommended that security be provide to the Office by an outsourced company. There are now security guards present 24/7. The private company staffs the front desk and screens all visitors. One or two guards are present evenings and nights. The one or two employees working during that time feel more comfortable. In the event a funeral home arrives after hours, a guard accompanies them during the delivery or pickup.

New legislation regarding disposition of bodies has been brought to our attention. The proposed Statute describes a natural decomposing process which includes grinding of bones. The current Statute indicates that in the event bodies become unexaminable (*i.e.* cremation) the death must be reported to OCME with ensuing investigation. DPH has been made aware in order to include language clarifying the need to report these deaths to OCME. Commissioner Frugale indicated that the Statute, in present form, does not include this directive but suggests that the Office should be involved. Commissioner Frugale did inform the legislative liaison in government relations office of the new language. Dr. Gill informed OPM as well. Dr. Gill does not think it will be a popular method of disposal and does not think it will have much of an impact on the Office. Bill number 6485 (approximately 9 pages) outlines the type of facility that is necessary as well as requirement for licensing.

Financial information was presented in the Executive Administrative Summary.

Mr. Fernow has contacted Tom Scanlon from the Governor's office regarding the mechanism for filling vacancies on the Commission. He has not heard back as of yet.

The election of COMLI officers is still tabled.

Commissioner Sinard had some recurrent issues with the design of the EDRS system on how easy it is to create duplicates of patients. Commissioner Frugale stated the DPH is willing to receive recommendations and work with the vendor to improve the system. Currently there is no easy way for morgue staff to populate most fields and then hand off to a physician for final certification. Dr DeJoseph made some recommendations for morgue staff and hospital staff (ED, ICU, etc.) to address these issues.

There being no further business the meeting was adjourned at 3:06 p.m.

Sidney M Hopfer, PhD
Secretary