

Tennessee Medical Examiner Advisory Council
Friday, April 12, 2019, 12:25 P.M. – 1:34 P.M. CST

MEMBERS	REPRESENTATION	STATUS
Benjamin Figura, Ph.D.	Admin Regional Forensic Center (West)	Present
Bob Batson	Licensed Funeral Director	Not Present
Julia Goodin, M.D., M.P.A.	State Chief Medical Examiner	Not Present
Darinka Mileusnic, M.D., Ph.D.	Forensic Pathologist Forensic Center	Telephonic
Honorable Amy Weirich	District Attorney General	Not Present
Tony R. Emison, M.D.	County Medical Examiner (West TN)	Not Present
Dewayne Johnson	Assistant Director of the TBI	Present
Ed Miller, J.D.	District Public Defender	Not Present
Lorraine MacDonald, M.D.	County Medical Examiner (Middle TN)	Not Present
Matrina Schmidt, M.D.	Forensic Pathologist Forensic Center	Not Present
Feng Li, M.D., Ph.D., J.D.	Forensic Pathologist Forensic Center	Present
James Metcalfe, M.D.	Forensic Pathologist Forensic Center	Present
Marco Ross, M.D.	Forensic Pathologist Forensic Center	Telephonic
David D. Darden, D.O., M.P.H.	County Medical Examiner (East TN)	Present
Mayor Jake Bynum	Weakley County Mayor	Present
NON-MEMBERS	REPRESENTATION	STATUS
Adele Lewis, M.D.	Deputy State Chief Medical Examiner	Present
Margaret A. Hyder, M.A.	Deputy Director	Present
Denise Martin, M.C.J, J.D., ABMDI-D	State Medicolegal Death Investigator	Present
Lindsey Crim, M.C.J., ABMDI-F	State Medicolegal Death Investigator	Present
Fran Wheatley, M.A., ABMDI-F	State Medicolegal Death Investigator	Present
GUESTS	REPRESENTATION	STATUS
Jim Farris	Forensic Medical	Present
Will Denami	Hamilton County Lobbyist	Present
Liz Beatty	Citizen	Present
Griff Gleason	Forensic Medical	Present
Josh Melton	TBI	Present

The meeting was called to order at 12:25 P.M. on Friday, April 12, 2019 in Conference Room A, 5th Floor, Andrew Johnson Tower.

12:25 P.M. **1. Roll Call and Voting**

Dr. Figura welcomed the council and requested introductions from each member, their names and representations. All council members were present in-person or telephonic, except for Dr. Julia Goodin, Mr. Bob Batson, Dr. Tony Emison, Dr. Lorraine MacDonald, Dr. Matrina Schmidt, General Weirich, and Public Defender Ed Miller. Mayor Bynum moved to approve the minutes from January 11, 2019, which were electronically distributed prior to the meeting, Dr. Metcalfe seconded the motion and the minutes were approved by unanimous vote of “Aye.”

12:26 P.M. **2. OSCME Update:**

Dr. Figura asked Dr. Lewis if she would provide the council with an update, specifically with the status of the state medical examiner case management system. Dr. Lewis advised the council she

had a presentation to go over all the projects the office is currently involved in, including the case management system.

- Justice Assistance Grant (JAG) Death Investigation Training – Four of the six training events this year had occurred, with approximately 110 trained.
- Opioid Grant Funds – Many opioid grant funds have been obtained for the four forensic centers that contract with the state, though not all the funds are being claimed. The OSCME is awaiting invoices from the centers.
- National Violent Death Reporting System (NVDRS) – The office has been working on MOUs with law enforcement offices to achieve access to the data required for the reporting system, and an additional abstractor will be hired to accomplish the goals of the grant over the next three years.
- Case Management System – The office has been waiting for the department to hire a program manager, which the office was informed that day a program manager had been assigned.
- Legislative Review – Currently there is the suicide bill, addition of legislators to the MEAC bill, the sunset bill, and then the bill to allow only DAs to order autopsies. The office was certain the bill limiting autopsies to DA order was off calendar and would not return due to fiscal impact to the state.

12:35 P.M. **3. Suicide Bill**

Dr. Li advised the council that he would not support the suicide bill. Dr. Li said his main issue with the bill was that it was a lot of work, lot of hoops codified that forensic centers already do. Dr. Li advised the council that he believed the bill was missing the big picture, and the bill would result in a lot of ‘undetermined’ manners of death. Dr. Mileusnic advised that the original bill (current law) several years back was a bad bill, but the biggest issue was that the family who brought forth the bill was not met with by the forensic center, even though the family was in the right and should have been met. Dr. Mileusnic further advised that any family can contact legislators to pass bills if they push hard enough. Dr. Lewis asked Ms. Beatty if she would like to address the council. Ms. Beatty advised the council that her family contacted Rep Casada’s office because the medical examiner would not meet with them. They had to go to legislators because forensics wouldn’t meet with them, even though they were only asking for a review.

Dr. Li advised the council that the legislation was here because he was asked to review a Johnson City case, and refused to review the case because he was in no power or jurisdictional authority to provide a second opinion that would change the initial determination. Ms. Hyder advised the council that the bill was addressing the issue in the law when the medical examiner is also the chief medical examiner of a forensic center, leaving no other entity for a family to seek reconsideration. Dr. Mileusnic advised the group that she thought the bill was good and will work. Dr. Figura agreed the amended bill was much better, and the peer review was probably a good thing. Dr. Figura asked for clarification on judicial review, and Dr. Lewis advised the court will order vital records to change the death certificate. Dr. Figura asked the council if any members had any other comments on any of the other pieces of legislation. Dr. Figura also asked if there was any input from DAs around the state in regard to the DA bill. Dr. Lewis advised the DAG remained neutral on the bill.

12:58 P.M. **4. VRISM Update**

Dr. Lewis advised the council that VRISM turnaround went from fifteen days to three days with 97% of all death certificates being fully electronically registered. Dr. Mileusnic advised she still sees “cardiac arrest” as a cause of death coming through VRISM, and asked if there was any way

VRISM could block those death certificates. Dr. Lewis advised those death certificates cannot be blocked. Dr. Lewis further advised that the system flags the certificates filled incorrectly, but does not prevent submission, and there is no quality control.

1:02 P.M. **5. State Chief Recommendations**

Dr. Lewis left the room to allow the council to discuss State Chief Recommendations upon Dr. Goodin's retirement. Dr. Figura advised that a letter was sent out that announced the retirement of Dr. Goodin that he didn't think he received, but Ms. Hyder showed him the read receipt. Dr. Li advised the council that he did not receive the email announcing Dr. Goodin's retirement. Dr. Figura read the duties of the MEAC regarding recommendation and advised that the council needed to make recommendation for state chief. Dr. Figura read the letter from Dr. McDonald that asked for recommendations for state chief, or deputy state chief if the council recommended Dr. Lewis. Dr. Figura asked for open discussion from the council in regard to the council recommendation of Dr. Lewis being chief. Dr. Darden asked if the state chief medical examiner had any specific requirements, for instance was it required to be a forensic pathologist. Dr. Figura advised the state chief medical examiner must be a forensic pathologist. Dr. Li first advised the council that he did not receive the email (see attached), so he was not prepared to discuss, but advised that if the council had to appoint or suggest a candidate, he suggested they have a nationwide search, like when they hired Dr. Goodin. Dr. Li strongly suggested a nationwide search. Dr. Figura agreed that a position of that stature you would want to open that up nationally and let the council have more than a single recommendation, though he thought Dr. Lewis would probably do well in that roll. Dr. Darden suggested a motion to recommend a nationwide search. Dr. Figura advised the council to draft a letter to have a nationwide search with a minimum of two or three people for the council to review prior to recommendation. Dr. Metcalfe and Dr. Ross agreed with the decision. Dr. Mileusnic asked what the remainder of Dr. Goodin's term (Dr. Goodin's position is vacant with no interim named). Dr. Figura made a motion for the letter to the commissioner for a nationwide search. Dr. Darden seconded the motion, motion approved via unanimous "aye." Dr. Figura asked the state for clarification on the sunshine laws for drafting a letter and sending it to the council. Ms. Hyder advised she would send clarification out after admitting she really wasn't sure how that worked.

1:15 P.M. **6. Mass Fatality Resources**

Dr. Figura advised the council of his concerns regarding resources in Tennessee for mass fatality events, and asked TBI representative Dewayne Johnson if he knew the process for report collection during a mass fatality. Mr. Johnson advised that during the Gatlinburg fires the TBI-FIND, TBI call center was used, Mr. Melton advised the council that during the Gatlinburg fires the call went to Nashville and then analysts pushed the calls to Sevierville. Dr. Figura asked for further clarification of any other systems that may be in place, and Dr. Lewis advised the Department of Health has a State Health Operations Center (SHOC) to be utilized in the event of a mass fatality and that she would show the council after the meeting. Dr. Darden advised the group of a flood in Polk County in May of 2010 that required rescue and asked if there was a "hot wash" on that event. Mr. Johnson advised that there was not one that he was aware. Dr. Lewis advised the council that she would take them to the operations center to view the resources.

1:32 P.M. **7. Council Wrap-Up:**

Dewayne Johnson advised the council that it was his last meeting, and that he would be retiring in July.

- July 12, 2019 – 12:00 P.M. CST
- October 11, 2019 – 12:00 P.M. CST