

OSCME NEWSLETTER

Response to Gatlinburg Wildfires Commendable

The Sevier County Medical Examiner, Dr. Vincent Tolley, and the Knox County Regional Forensic Center are to be commended for the very professional, fast, and efficient way they responded to the tragic Gatlinburg fires. The situation was compounded by rain and even tornadoes in surrounding areas.



Coordination and cooperation among many agencies allowed for the fast recovery and identification of the remains. Tennessee Bureau of Investigations (TBI) provided both scene safety and scene investigations for the 14 deaths that resulted from the fires. Dr. Tolley was onsite for several days assisting with the coordination of the process. In addition to providing Sevier County the use of their refrigerated trailer, the staff of the Knox County Regional Forensic Center also spent several days onsite coordinating recovery and transport of the remains. The Tennessee Department of Health sent their mobile command station to the staging area, which enhanced communication and for some evenings offered a warm place for

workers to shelter from the cold.

Autopsies and the complex process of confirming identifications were done by the Knox County Regional Forensic Center, mostly by dental and medical records along with circumstantial information. Twelve identifications were made within the first week with the last two still pending DNA confirmation. The families want and deserve information and the staff there worked quickly under difficult and demanding circumstances, to respond to their questions and confirm identifications.

Cultural/Religious Differences to Consider

Tennessee is a multicultural society made up of many different ethnic, racial, and religious groups from around the world; this is particularly true in more urban areas. Each of these groups has their own cultural traditions and customs related to death which can be in conflict with the work of the CME/CMEI. To best serve families from these communities it is important the CME/CMEI have an understanding of the cultural diversity present in their jurisdiction and anticipate concerns family members may have regarding the handling of a body, delay of burial and attitudes concerning autopsy.

To facilitate communication with non-English speakers the CME/CMEI should be aware of available language services or interpreters, often available through hospi-

tals or law enforcement agencies. Early in the investigation the CME/CMEI should speak with the next of kin to determine if they have any cultural or religious customs surrounding death or specific objections to the investigation or autopsy.

When a body is sent for autopsy and the family has specific requests or objections the pathologist must be made aware prior to autopsy. In some cases the pathologist may be able to make some accommodations to meet all or part of a next of kin's request. It is important to explain to the next of kin the legal responsibility of the CME/CMEI to investigate deaths and their legal authority to order an autopsy. In many cases the family will withdraw their objection to the autopsy after they have heard an explanation for the necessity of the autopsy to answer questions for the protection of the public's health, for the purposes of the criminal justice and legal systems, and for the family who may not realize they have questions until days, weeks, or even years later. If the CME feels an autopsy should be done they have the final authority to order the autopsy, regardless of the family's objection.

If a family persists in their objections to autopsy, consult the regional forensic center to which the body would be sent or the OSCME. When an autopsy is warranted, but not performed due to the religious or cultural beliefs of the family, document the refusal, including the name and contact information of the person objecting, their reasons for doing so, and the information they have received from law enforcement and/or CME personnel regarding the potential consequences. Make sure the investigating law enforcement agency and/or DAG is aware of, and is in agreement with, the decision of the CME.

“Bullets, Drugs, & Deception” Investigation Training

The OSCME staff will be traveling to and providing training for all County Medical Examiners and Death Investigators in two full day training sessions regarding scene investigation. The course is approved for EMS, ABMDI, POST, and CME Credits.

Training Dates and Locations:

Jackson—March 29-30
Paris Landing—April 27-28
Johnson City—May 17-18
Roane County—June 13-14

Registration for the course: <https://sites.google.com/site/oscmejagtraining/>

Submitting ME Cases / ROI Information to the OSCME

The Office of the State Chief Medical Examiner (OSCME) under T.C.A. § 38-7-102 is charged with keeping full and complete records of all reports on investigations and examinations reported to the county medical examiners under the Post-Mortem Examination Act. The State medical examiner and the TN Medical Examiner Advisory Council (MEAC) have the responsibility of creating and issuing an annual report on all death investigations in this state (T.C.A. § 38-7-201).

For every case that is reported to the CME a Report of Investigation (ROI) should be submitted to the OSCME. This includes all deaths reported to the county medical examiner whether autopsy service is requested or not. A death investigation may take several forms, all of which should be documented and reported to the OSCME. The investigation can consist of a single phone call reporting a death for jurisdiction acceptance or declination, to scene response by the county medical examiner (CME) / county medical examiner investigator (CMEI), and / or the performance of external examination or autopsy. All reported deaths should be documented in a ROI and retained by the CME and a copy submitted to the OSCME (T.C.A. § 38-7-109).

The OSCME recently developed a concise, 2-page ROI that is available to all CMEs and CMEIs in paper or electronic fillable format. The CME/CMEI may already have a report in use by their county that, if equivalent, can be submitted. All reports should be submitted within 14 days of the date of death and can be submitted via postal mail, fax, or email.

All ROIs should be sent to:

Fax Number: 615-401-2532

Email Address:
OSCME.ROI@tn.gov

Postal Address: Office of the State Chief Medical Examiner
Department of Health
Andrew Johnson Tower, 7th Floor
710 James Robertson Parkway
Nashville, TN 37243

The OSCME is in the process of developing an interim electronic web-based database that all CMEs and CMEIs can use to track their cases and enter case information, photographs, autopsy reports, etc. The interim database should be ready for use early in January 2017. To gain access to the interim database for entering reports electronically please contact the OSCME at (423) 439-8403 or toll free at (844) 860-4511.

A letter from the OSCME to all county medical examiners and county mayors will be mailed prior to January 2017 to inform all that starting January 1, 2017 the OSCME will pay \$25 for each ROI completed correctly and submitted. The claim for the ROI should be submitted to the OSCME by the county mayor's office. It is recommended the funds be used to support the county medical examiner and their investigators. All claims should be submitted by the county where death occurred.

The minimum information required for completing an ROI must include the following if available:

Medical Examiner Cases:

- County of death
- Decedent demographics (Name, DOB, Gender, Race)
- Type of death suspected
- Identification (Method, By Whom)
- Death pronounced (Date, Time, By Whom)
- Death in Jail / Police Custody
- Drugs suspected
- Brief narrative of circumstances surrounding death
- Body viewed by CME / CMEI (Yes / No)
- Presumed Cause and Manner of death
- Date of Investigation
- Name of CME / CMEI
- Autopsy (Yes / No)

Jurisdiction Declined Cases:

- County of death
- Decedent demographics (Name, DOB, Gender, Race)
- Type of death (indicate jurisdiction declined)
- Death pronounced (Date, Time, By Whom)
- Brief narrative of circumstances surrounding death
- Presumed Cause and Manner of death
- Date of Investigation
- Name of CME / CMEI

The claim form submitted for payment by the county mayor's office must contain a list of the ROIs submitted to the OSCME. The list must include the name of the decedent, county of death, date of death, and name of person completing the ROI (CME or CMEI).