

Tennessee Medical Examiner Advisory Council
Friday, July 13, 2018, 1:00 P.M. - 2:40 P.M. CST

MEMBERS	REPRESENTATION	STATUS
Darinka Mileusnic, M.D., Ph.D.	Forensic Pathologist Forensic Center	Present
Bob Batson	Licensed Funeral Director	Present
Julia Goodin, M.D., M.P.A.	State Chief Medical Examiner	Present
Honorable Amy Weirich	District Attorney General	Not Present
Tony R. Emison, M.D.	County Medical Examiner (West TN)	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)	Present
Benjamin Figura, Ph.D.	Admin Regional Forensic Center (West)	Present
E. Hunt Scheuerman, M.D.	Forensic Pathologist Forensic Center	Not Present
Feng Li, M.D., Ph.D., J.D.	Forensic Pathologist Forensic Center	Not 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	Telephonic
NON-MEMBERS	REPRESENTATION	STATUS
Adele Lewis, M.D.	Deputy State Chief Medical Examiner	Present
Margaret A. Hyder, M.A.	Deputy Director	Present
Frances Wheatley, M.A., ABMDI-F	State Medicolegal Death Investigator	Present
GUESTS	REPRESENTATION	STATUS
John Lott, R.N., M.S.	Knox Regional Forensic Center	Present
J.A. Bucy	Middle TN and Funeral Home Lobbyist	Present
Jim Farris	Forensic Medical	Present

The meeting was called to order at 1:00 P.M. on Friday, July 13, 2018 in Conference Room A, 5th Floor, Andrew Johnson Tower.

1:00 P.M. 1. Roll Call and Voting

Dr. Mileusnic 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. Feng Li, General Weirich and Public Defender Ed Miller. Bob Batson moved to approve the minutes from April 13, 2018, which were electronically distributed prior to the meeting, Dr. MacDonald seconded the motion and the minutes were approved by unanimous vote of "Yea."

1:07 P.M. 2. Council Update:

Dr. Mileusnic requested a change in the final meeting time for the year, to be moved to 12:00 CST and lunch to be provided. The council agreed for the final meeting of the year to be held October 19, 2018 from 12:00-2:00 CST. In addition, Dr. Mileusnic advised the council of the appointment of David Rausch as TBI's new director. The council asked Assistant Director Dewayne Johnson to relay congratulations to Director Rausch.

1:09 P.M. 3. State Medical Examiner Office Update:

Dr. Goodin gave a presentation to the council on the progress of the Office of the State Chief Medical Examiner (OSCME). The OSCME has received an additional year of funding for the

Justice Assistance Grant two-day training sessions. The training this year will focus on gunshot related deaths and child deaths. Dr. Goodin advised the council that the OSCME had published the seventh newsletter in June, available on the state website. The OSCME is in the process of compiling an annual report for 2017 deaths, through data collected in the states interim medical examiner databased (IMED). Dr. Goodin advised the council that the OSCME has acquired a new case management system designed by Quincy Technologies. Dr. Mileusnic inquired which counties are reporting, not reporting their medical examiner cases to the state. Dr. Goodin advised there are up to 60,000 cases reported. The state started with only twenty-five counties reporting, and now there are less than sixteen counties not reporting. The annual report will be comprised of incomplete data the first year, but will improve for following years.

1:13 P.M. **4. VRISM:**

Several issues were brought up regarding certifying death through VRISM. Dr. Lewis advised the drop dead date for VRISM is July 16, 2018. Dr. Darden commented on how helpful the VRISM staff have been and he appreciates them. Dr. Goodin acknowledged Dr. Lewis' ongoing hard work and dedication to making VRISM better. Dr. MacDonald asked how the Department of Health will enforce VRISM use. Dr. Darden suggested enforcement similar to the Hall Tax, the use of VRISM could be required by the appropriate licensing boards. Dr. Metcalfe advised the council he is strongly against any penalty to licensure with regard to VRISM, referencing Tennessee as the Volunteer State and should not be forced. Dr. Mileusnic brought up the time constraints faced by the forensic center trying to certify death through VRISM, and lack of staff. Mr. Lott asked to speak to the council. Mr. Lott suggests as the VRISM staff reduces in numbers, those funds should be reallocated to fund clerical staff at the forensic centers.

1:23 P.M. **5. NVDRS:**

Dr. Goodin advised the council that the OSCME was in the process of applying for the National Violent Death Reporting System (NVDRS) grant. Dr. Goodin explained that NVDRS is a CDC surveillance system that records all violent deaths by extracting data from death certificates, medical examiner reports, and law enforcement narratives. All data is de-identified, but provides very useful surveillance data at a granular level. Currently all but ten states are participating in NVDRS. Dr. Goodin advised that Ms. Hyder had recently met with TBI to determine any feasibility of a cooperative relationship regarding NVDRS. Dr. Goodin advised that the first year of the NVDRS would be a pilot year, with the second year state wide. Dr. Darden asked how soon the data becomes available once the system starts. Dr. Goodin advised the availability is delayed through the next year.

1:29 P.M. **5. Open: Matters of Concern to Council Members:**

- **Mass Fatality Plan:** Dr. Goodin advised the council that the state Mass Fatality Plan is under final review, and extends her thanks to all members of the council who assisted in the development of the plan.
- **State Case Management System (QuincyTech):** Dr. Mileusnic asked for clarification on the cost schedules and payment plans for the development and implementation of QuincyTech. Dr. Goodin advised the contract with the developer was just signed, and there will be more meetings to determine costs.
- **OSCME Personnel:** Dr. Figura acknowledged one of the death investigators for the state, Andrew Wilson, had resigned, and asked if the position would be filled. Dr. Goodin

advised the council that Investigator Wilson moved back to Iowa, and the OSCME was currently in the process of interviewing to fill the vacant position.

- **VRISM:** Dr. Mileusnic asked if VRISM would decrease the number of physician refusing to sign death certificates, and acknowledges Dr. Lewis has been helpful at getting many physicians to sign who had previously refused. Dr. Figura asked what happens regarding physicians refusing to sign non medical examiner case death certificates after the 16th of July. Dr. Lewis acknowledged there is no law requiring physicians to use the electronic system and no way to enforce that physicians sign their death certificates other than reporting them to the Board of Medical Examiners or Osteopathic Physicians. Dr. Emison expressed his discontent with extra burden of death certificates that should be signed by the physician, but are continuously left to him as the medical examiner to certify the death. Dr. MacDonald advised the council she usually signs these death certificates to help the families of the deceased kept in limbo. Dr. Darden advised the Board of Medical Examiners should be notified and require physicians to certify natural deaths of patients under their care. Dr. Emison expressed his frustrations with the state not training physicians how to complete death certificates, and advised the council should disband if all members are going to continue echoing that the state can't do anything. Dr. Mileusnic advised that the medical examiners cannot be responsible for inept physicians. All members concurred there should be a push for death certification education.
- **“Manner of Death” TBA Article:** Dr. Mileusnic brings a recent TN Bar Association article regarding manner of death, to the attention of the council. Dr. Farris advised the council that the article is inaccurate and the forensic center did meet with the family¹. Dr. Mileusnic acknowledged an abundance of inaccurate information in the article. Dr. Mileusnic asked the council if it would be appropriate for the council to respond to the article, to advise that the article would result in inaccurate state statistics regarding suicide, and accurate statistics are key to prevention efforts. Dr. Mileusnic advised that the article is pushing for actions that will result in “undetermined” as a manner of death instead of “suicide,” which will result in reduced funding for prevention. Dr. Mileusnic continued that medicine should not be legislated, and asked for a consensus from the council regarding a response letter. Dr. Emison agreed that a response should be submitted to the TBA, as determining manner of death, especially suicide, is not something any medical examiners take lightly. Dr. Farris would prefer no response, and suggested the council wait to see if anything results from this article. Drs. Mileusnic, Goodin, and Lewis advised the council the article paints a skewed view, and the council should do anything in their power to prevent any further legislation disregarding medical opinion. Dr. Goodin suggests a response to include what is really done in the determination of manner of death. Dr. Farris again advised his hesitation to respond and suggested the council wait for any follow up. Dr. Lewis advised the council the article suggests using the codified definition of suicide, rather than the manner of death medical examiners have been trained to determine.
- **Organ Procurement:** The council again discussed the Uniform Anatomical Gift Act in Tennessee, and need for legislative change. Dr. Mileusnic expressed her concern for the lack of authority medical examiners have regarding donor service agencies, when their interference can greatly hinder the determination of cause and manner of death. Dr. Mileusnic suggests the council work on legislative efforts to amend the anatomical gift act,

¹ This statement was not accurate. The forensic center did not meet with the family. This was brought to the attention of the council on January 11, 2019, and the council voted to cross-reference these minutes.

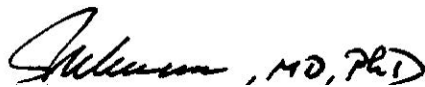
and request support from District Attorneys General, Law Enforcement, TBI, and Funeral Homes.

- **Autopsy Reports as Public Record:** Dr. Mileusnic advised the council of a legislative objective for last year, regarding privatizing autopsy reports should be reconsidered this year. Dr. Mileusnic suggested the council could find several families to give testimony of the importance of autopsy reports not being public record.
- **Burials, Cremation Permits, and Manner of Death:** Dr. Emison suggested improvements needed in the state regarding reportable deaths, and agencies least likely to report prior to burial, such as nursing homes. Dr. Lewis advised the state hopes that many of these issues will improve with VRISM. VRISM will prompt physicians to add additional information other than “Cardiac Arrest” or similar as an acceptable cause of death. Mr. Batson suggested the council send a list of unacceptable causes of death that he may distribute to all the funeral homes. Dr. MacDonald suggested the OSCME send staff to Funeral Directors Meetings.
- **Concerns:** Dr. Mileusnic asked Dr. Goodin what her biggest concerns are for the state medical examiner system as the state chief. Dr. Goodin advised succession planning is the biggest concerns, when medical examiners retire, what will Tennessee do, which is already becoming a problem. Dr. Goodin advised the council that the problem will only get worse, and the council should start considering supplementing medical examiners with trained and paid state investigators to serve regions. Dr. Darden suggests using the judicial districts as regions. Dr. Goodin suggests the judicial districts are too large, and may need smaller regions for coverage.

2:34 P.M. **6. Council Wrap-Up:**

Dr. Mileusnic asked the council to send any suggestions or ideas for the next meeting. The next meeting of the council was set for October 19, 2018 at 12:00 P.M., lunch will be provided.

Submitted by:



Darinka Mileusnic, M.D., Ph.D.
Knox County Chief Medical Examiner
Chair, Medical Examiner Advisory Council



Margaret A. Hyder, M.A.
Deputy Director
Office of the State Chief Medical Examiner