

MF.05
Office of the Chief Medical Examiner
Department of Health and Mental Hygiene

Operating Budget Data

(\$ in Thousands)

	<u>FY 00</u> <u>Actual</u>	<u>FY 01</u> <u>Working</u>	<u>FY 02</u> <u>Allowance</u>	<u>Change</u>	<u>% Change</u> <u>Prior Year</u>
General Fund	\$5,274	\$5,256	\$5,750	\$494	9.4%
Special Fund	<u>4</u>	<u>0</u>	<u>0</u>	<u>0</u>	_____
Total Funds	\$5,278	\$5,256	\$5,750	\$494	9.4%

- Higher salary expenses for existing personnel are responsible for a requested increase of \$273,000.
- Three new positions result in a request for an additional \$174,000.

Personnel Data

	<u>FY 00</u> <u>Actual</u>	<u>FY 01</u> <u>Working</u>	<u>FY 02</u> <u>Allowance</u>	<u>Change</u>
Regular Positions	70.00	72.00	75.00	3.00
Contractual FTEs	<u>2.95</u>	<u>0.50</u>	<u>2.00</u>	<u>1.50</u>
Total Personnel	72.95	72.50	77.00	4.50

Vacancy Data: Permanent

Budgeted Turnover: FY 02	6.07	8.09%
Positions Vacant as of 12/31/00	0.90	1.25%

- Three new permanent positions include an assistant medical examiner, office secretary, and forensic investigator.
- 1.5 new contractual positions include an autopsy assistant and office clerk.

Salary component is underfunded:

- Budgeted turnover considerably exceeds current rate of vacancies for existing staff.

Note: Numbers may not sum to total due to rounding.

For further information contact: Robyn S. Elliott

Phone: (410) 946-5530

Analysis in Brief

Issues

The Chief Medical Examiner Should Seek Outside Funds to Augment Budget: There are several sources of available funding, including grants from research and public health programs. These funds could be used to augment existing resources.

Recommended Actions

	<u>Funds</u>	<u>Positions</u>
1. Reduce salary expenses so that turnover for new permanent and contractual positions is budgeted at the standard 25%.	\$ 34,616	
2. Adopt committee narrative to direct the Department of Health and Mental Hygiene to seek outside funding sources for the Office of the Chief Medical Examiner.		
Total Reductions	\$ 34,616	

MF.05
Office of the Chief Medical Examiner
Department of Health and Mental Hygiene

Operating Budget Analysis

Program Description

As mandated by Section 5-301 to 5-312 of the Health General Article, the Office of the Chief Medical Examiner (CME) must perform the following functions:

- perform death investigations in cases mandated by Maryland statute, thus assisting State's attorneys, courts, law enforcement agencies, and families;
- train health, legal, and law enforcement professionals who are involved in death investigations; and
- support research directed at increasing knowledge about disease pathology and injury to prevent death and injury whenever possible.

Governor's Proposed Budget

The fiscal 2002 allowance contains a \$494,000 or 9.4% increase over the fiscal 2001 working appropriation, as demonstrated by **Exhibit 1**. About 55% of the increase is the result of higher salary expenses for existing personnel, while most of the remaining increase stems from new personnel. For existing personnel, the turnover reduction is \$75,000 higher than the fiscal 2001 budget. This reduction exacerbates the office's problem of meeting budgeted turnover. The fiscal 2002 allowance assumes a vacancy rate of roughly 8%, although currently it is running at roughly 1%. It is unclear that sufficient resources are budgeted for the office's salary and fringe benefit expenses for existing personnel.

The CME has requested three new permanent positions, which cost \$174,000, because the number of autopsies is expected to remain higher than previous years. In fiscal 2000, there were 539 more autopsies than in the previous year, as shown in **Exhibit 2**. The CME reports that this trend is likely to continue because local investigators and law enforcement more frequently want the assurance of an autopsy report. With a 16% increase in caseload, the CME needs additional resources. In fiscal 2000 DHMH transferred general funds to the CME to cover additional hours. This was the primary reason for the \$261,000 budget amendment, as discussed later in this analysis. The new permanent positions include the following:

- assistant medical examiner to perform autopsies;
- office secretary to support the work of the new medical examiner; and
- forensic investigator to conduct on-the-scene investigations and transport cases.

In addition to these permanent positions, the CME also plans to create two contractual positions, an autopsy assistant and office clerk, to handle the additional caseload. Since the office is eliminating a half-time pathologist position, there is only a net gain of 1.5 contractual positions.

Exhibit 1

**Governor's Proposed Budget
Office of the Chief Medical Examiner
(\$ in Thousands)**

How Much It Grows:	General Fund	Total
2001 Working Appropriation	\$5,256	\$5,256
2002 Governor's Allowance	<u>5.750</u>	<u>5.750</u>
Amount Change	\$494	\$494
Percent Change	9.4%	9.4%
Where It Goes:		
Personnel Expenses		
Three new positions to support increase in autopsy caseload		\$174
General salary increase		66
Increments and other compensation		216
Employee and retiree health insurance		50
Retirement contribution rate reduction		(29)
Turnover adjustments		(75)
Other fringe benefit adjustments		45
Subtotal		\$447
Other Operating Expenses		
County medical examiners expenses increase to align budget with actual expenditures		\$35
Utilities decrease to align with actual expenditures		(34)
Contractual expenditures increase to align budget with actual expenditures		31
Replacement vehicle for transportation of cases		26
Miscellaneous operating expenses decrease		(11)
Subtotal		\$47
Total		\$494

Note: Numbers may not sum to total due to rounding.

Since it is standard budgeting practice to build in a 25% turnover rate for all new positions, the Department of Legislative Services (DLS) recommends a reduction of \$34,616 to raise the turnover rate for the new permanent and contractual positions to 25%.

Performance Analysis: Managing for Results

Fiscal 2002 marks the fourth year of the Governor's Managing for Results (MFR) initiative. This initiative measures an agency's progress in reaching its goals. This progress should justify the amount in an agency's base budget and any requests for new funding.

The CME has consistently used the same performance indicators in its MFR plan. With such consistency, it is relatively easy to evaluate trends in the office's activities. As shown in **Exhibit 2**, the number of death investigations has only increased slightly, but the number of cases that require an autopsy will have increased from 3,136 in fiscal 1998 to an estimated 3,750 in fiscal 2002. This trend supports the CME's assertion that new personnel are needed to keep pace with the volume of autopsies.

The other major trend occurs with an efficiency indicator. The CME predicts that the percentage of reports completed within 30 days will rise from 75% in fiscal 1999 to 90% in fiscal 2002. These numbers may not be accurate because the office does not have an effective means to track the completion time. Therefore, these figures should only be viewed as estimates. Given the fact that the office's resources have been stretched with a higher autopsy caseload, it seems unlikely that the office has been able to realize its estimate for fiscal 2000 and 2001, but it may be able to improve in fiscal 2002 with the additional permanent and contractual positions. **The CME should be prepared to comment on if the efficiency figures accurately reflect fiscal 2000 and 2001 operations.**

Exhibit 2

**Program Measurement Data
Office of the Chief Medical Examiner
Fiscal Years**

	<u>Actual 1998</u>	<u>Actual 1999</u>	<u>Actual 2000</u>	<u>Est. 2001</u>	<u>Est. 2002</u>	<u>Ann. Chg. 98-00</u>	<u>Ann. Chg. 00-02</u>
Investigations							
# of deaths investigated	7,990	8,023	8,063	8,100	8,100	0%	0%
# of autopsies	3,136	3,273	3,812	3,750	3,750	10%	-1%
Efficiency							
% of cases released within 24 hours*	n/a	98%	98%	98%	98%	n/a	0%
% of reports completed within 30 days*	n/a	75%	81%	87%	90%	n/a	5%
Ratio of autopsies to medical examiners	348	364	423	417	391	10%	-4%
Other Activities							
# of groups trained	35	34	51	50	50	21%	-1%
Professional publications	9	12	13	10	10	20%	-12%

*These figures are estimates.

Source: Department of Health and Mental Hygiene

Issues

1. The Chief Medical Examiner Should Seek Outside Funds to Augment Budget

The Office of the Chief Medical Examiner is entirely dependent on general funds for its allowance. While the office does collect about \$40,000 a year in administrative fees for providing data to outside organizations that are conducting research, these fees are deposited directly into the general fund. However, there may be other outside funds available to the office. Activities that could receive outside funds include:

- **Conducting Research:** While some of the forensic pathologists conduct their own research and publish journal articles, they do not receive outside funding support. The CME contends that accepting support may compromise the office's credibility because pathologists could be accused of slanting results to bolster their research findings. It is not clear if this has occurred in other states. Dr. Gary Peterson, president of the National Association of Medical Examiners, reported that his jurisdiction receives outside funding, but attorneys review any grant agreement to ensure that it will not compromise his office's credibility.
- **Planning for Bioterrorism:** The office takes an active role with other State agencies and administrations in DHMH in planning for bioterrorism. Recently, the Baltimore City Health Department awarded the CME about \$75,000 from a federal grant. The monies will allow the CME to develop a database that will identify possible bioterrorist incidents by monitoring patterns in the causes of death. While no other funds are immediately forthcoming, it is possible that the federal government may increase funds in the future because bioterrorism has become a high-profile issue.
- **New Federal Anti-Crime Statute:** Federal legislation, entitled the Paul Coverdell National Forensic Sciences Improvement Act of 2000, was recently enacted to make grant awards available to forensic labs and medical examiners. The CME can apply for funds to upgrade its operations through the U.S. Attorney General's Office. With the change in federal administration, DHMH estimates that grant applications will not be issued until the fall of 2001.

Outside funding could provide much needed resources for the Office of the Chief Medical Examiner to upgrade its existing operations or develop new initiatives to address emerging issues, such as bioterrorism. Therefore, DLS recommends committee narrative that directs DHMH to explore possible outside funding sources.

Recommended Actions

	<u>Amount Reduction</u>	<u>Position Reduction</u>
1. Reduce salary expenses so that turnover for new permanent and contractual positions is budgeted at the standard 25%.	\$ 34,616	GF
2. Adopt the following narrative:		

Outside Funding Sources: Outside funding sources may be available to support the Office of the Chief Medical Examiner’s research and public health activities. The committees request that the Department of Health and Mental Hygiene actively pursue these funding sources to augment the Chief Medical Examiner’s existing resources.

Total General Fund Reductions **\$ 34,616**

Current and Prior Year Budgets

**Current and Prior Year Budgets
Office of the Chief Medical Examiner
(\$ in Thousands)**

	<u>General Fund</u>	<u>Special Fund</u>	<u>Federal Fund</u>	<u>Reimb. Fund</u>	<u>Total</u>
Fiscal 2000					
Legislative Appropriation	\$4,969	\$0	\$0	\$0	\$4,969
Deficiency Appropriation	0	0	0	0	0
Budget Amendments	305	4	0	0	309
Reversions and Cancellations	0	0	0	0	\$0
Actual Expenditures	\$5,274	\$4	\$0	\$0	\$5,278
Fiscal 2001					
Legislative Appropriation	\$5,256	\$0	\$0	\$0	\$5,256
Budget Amendments	0	0	0	0	0
Working Appropriation	\$5,256	\$0	\$0	\$0	\$5,256

Note: Numbers may not sum to total due to rounding.

Fiscal 2000

The general fund appropriation increased by \$305,000 to cover the implementation of the new pay plan, deferred compensation, and higher than expected operating costs. Operating costs were over budget

MF.05 - DHMH - Office of the Chief Medical Examiner

because of an increase in the number of autopsies and actual turnover was much lower than budgeted turnover. In addition, the special fund appropriation was increased by about \$4,000 to cover the costs associated with inclement weather.

**Object/Fund Difference Report
DHMH - Office of the Chief Medical Examiner**

Object/Fund	FY00 Actual	FY01		FY02 Allowance	FY01 - FY02 Amount Change	Percent Change
		Working Appropriation	Working Appropriation			
Positions						
01 Regular	70.00	72.00	75.00	3.00	4.2%	
02 Contractual	2.95	0.50	2.00	1.50	300.0%	
Total Positions	72.95	72.50	77.00	4.50	6.2%	
Objects						
01 Salaries and Wages	\$ 3,737,424	\$ 3,766,164	\$ 4,212,909	\$ 446,745	11.9%	
02 Technical & Spec Fees	339,076	272,593	301,866	29,273	10.7%	
03 Communication	37,925	38,051	37,925	(126)	(0.3%)	
04 Travel	3,030	5,738	6,600	862	15.0%	
06 Fuel & Utilities	180,109	216,872	182,494	(34,378)	(15.9%)	
07 Motor Vehicles	6,922	10,735	34,155	23,420	218.2%	
08 Contractual Services	484,388	443,115	474,017	30,902	7.0%	
09 Supplies & Materials	369,952	368,780	381,279	12,499	3.4%	
10 Equip - Replacement	106,403	121,000	109,397	(11,603)	(9.6%)	
11 Equip - Additional	3,728	4,178	2,453	(1,725)	(41.3%)	
13 Fixed Charges	8,971	8,348	6,955	(1,393)	(16.7%)	
Total Objects	\$ 5,277,928	\$ 5,255,574	\$ 5,750,050	\$ 494,476	9.4%	
Funds						
01 General Fund	\$ 5,273,875	\$ 5,255,574	\$ 5,750,050	\$ 494,476	9.4%	
03 Special Fund	4,053	0	0	0	0.0%	
Total Funds	\$ 5,277,928	\$ 5,255,574	\$ 5,750,050	\$ 494,476	9.4%	

Note: Full-time and contractual positions and salaries are reflected for operating budget programs only.

Fiscal Summary
DHMH - Office of the Chief Medical Examiner

<u>Unit/Program</u>	FY00	FY01	FY01	FY00 - FY01	FY02	FY01 - FY02
	<u>Actual</u>	<u>Legislative Appropriation</u>	<u>Working Appropriation</u>	<u>% Change</u>	<u>Allowance</u>	<u>% Change</u>
01 Post Mortem Examining Services	\$ 5,277,928	\$ 5,255,574	\$ 5,255,574	(0.4%)	\$ 5,750,050	9.4%
Total Expenditures	\$ 5,277,928	\$ 5,255,574	\$ 5,255,574	(0.4%)	\$ 5,750,050	9.4%
General Fund	\$ 5,273,875	\$ 5,255,574	\$ 5,255,574	(0.3%)	\$ 5,750,050	9.4%
Special Fund	4,053	0	0	(100.0%)	0	0.0%
Total Appropriations	\$ 5,277,928	\$ 5,255,574	\$ 5,255,574	(0.4%)	\$ 5,750,050	9.4%