

M00F05
Office of the Chief Medical Examiner
Department of Health and Mental Hygiene

Operating Budget Data

(\$ in Thousands)

	<u>FY 02</u>	<u>FY 03</u>	<u>FY 04</u>	<u>FY 02-04</u> <u>Change</u>	<u>FY 05</u>	<u>FY 04-05</u> <u>Change</u>
Operations	\$5,227	\$6,052	\$6,021	\$794	\$6,483	\$462
Contractual Services	440	547	446	6	597	151
Grants	0	0	0	0	0	0
Contingent & Back of Bill Reductions	0	0	0	0	-25	-25
Adjusted Grand Total	\$5,667	\$6,599	\$6,467	\$800	\$7,055	\$588
General Funds	5,652	6,499	6,338	\$686	6,834	496
Contingent & Back of Bill Reductions	0	0	0	0	-24	-24
Adjusted General Funds	\$5,652	\$6,499	\$6,338	\$686	\$6,810	\$472
Federal Funds	15	38	129	\$114	132	3
Contingent & Back of Bill Reductions	0	0	0	0	-1	-1
Adjusted Federal Funds	\$15	\$38	\$129	\$114	\$131	\$2
Reimbursable Funds	0	62	0	0	114	114
Adjusted Grand Total	\$5,667	\$6,599	\$6,467	\$800	\$7,055	\$588
Annual % Change		16.4%	-2.0%		9.1%	

- The Office of the Chief Medical Examiner's fiscal 2002 appropriation was reduced \$0.6 million, primarily a result of the hiring freeze. Since that time, hiring exemptions have been granted for all medical examiner positions and the majority of supporting functions, significantly reducing the effect of cost containment on office operations.
- Reimbursable funds provide for the development and implementation of a web-based traffic fatality tracking system to allow data sharing among governmental units. The State Highway Administration, in conjunction with the University of Maryland, provides funds and related resources in support of the project.

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

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Personnel Data

	<u>FY 02</u>	<u>FY 03</u>	<u>FY 04</u>	<u>FY 02-04</u> <u>Change</u>	<u>FY 05</u>	<u>FY 04-05</u> <u>Change</u>
Regular Positions	75.0	75.0	76.0	1	76.0	0.0
Contractual FTEs	0.8	1.1	2.2	1	2.3	0.1
Total Personnel	75.8	76.1	78.2	2	78.3	0.1

Vacancy Data: Regular Positions

Turnover Expectancy	2.59	3.40%
Positions Vacant as of 12/31/03	2.30	3.03%

- Existing positions have been reclassified to increase the number of medical examiners. These reclassified positions will reduce caseload levels among pathology staff.

Analysis in Brief

Major Trends

Autopsy Rate Consistent with National Average: The number of autopsies performed by the Office of the Chief Medical Examiner has remained at levels consistent with national per capita rates.

Issues

Office Adds Pathology Positions to Maintain Accreditation: The Office of the Chief Medical Examiner has hired additional pathologists to maintain caseload levels consistent with National Association of Medical Examiners accreditation standards.

Recommended Actions

	<u>Funds</u>
1. Delete funding for the addition of contractual personnel.	\$ 25,589
Total Reductions	\$ 25,589

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Analysis of the FY 2005 Maryland Executive Budget, 2004

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Office of the Chief Medical Examiner
Department of Health and Mental Hygiene

Operating Budget Analysis

Program Description

The mission of the Office of the Chief Medical Examiner is to:

- assist State's Attorneys, courts, law enforcement agencies, and families by providing competent, professional, thorough, and objective death investigations in cases mandated by Maryland statute;
- strengthen partnerships between federal, State, and local governments through training and education of health, legal, and law enforcement professionals;
- support research programs directed at increasing knowledge of the pathology of disease; and
- protect and promote the health of the public by assisting in the development of programs to prevent injury and death.

Performance Analysis: Managing for Results

The Office of the Chief Medical Examiner is required to investigate all violent or suspicious deaths, including all deaths unattended by a physician. If the cause of death can not be established to a reasonable degree of medical certainty during the initial investigation, the pathologist is required to perform an autopsy on the deceased. The percentage of death investigations requiring an autopsy has remained relatively constant in recent years, detailed in **Exhibit 1**. Performing an autopsy while the body is in the State's care precludes more costly and disruptive measures, such as exhumation, at a later time.

The State's autopsy rate is consistent with rates in other states and jurisdictions. A 2002 National Association of Medical Examiners survey of 125 jurisdictions found that death investigation offices performed an average of one autopsy per 1,333 residents. Data from the Office of the Chief Medical Examiner is consistent with this rate; the office performed an average of one autopsy per 1,370 residents in 2001, the last year for which census data is available. As the Maryland population continues to grow, it is likely that the number of autopsies performed by the Office of the Chief Medical Examiner will increase to reflect this growth.

Exhibit 1
Program Measurement Data
Chief Medical Examiner
Fiscal 2001 – 2005

	<u>Actual</u> <u>2001</u>	<u>Actual</u> <u>2002</u>	<u>Actual</u> <u>2003</u>	<u>Est.</u> <u>2004</u>	<u>Est.</u> <u>2005</u>	<u>Ann.</u> <u>Chg.</u> <u>01-03</u>	<u>Ann.</u> <u>Chg.</u> <u>03-05</u>
Autopsies performed	3,926	3,898	4,157	4,100	4,100	2.9%	-0.7%
Deaths investigated	7,661	7,405	7,733	7,900	7,900	0.5%	1.1%
Percent of investigated deaths for which an autopsy is ordered	51%	53%	54%	52%	52%	2.4%	-1.7%

Source: Department of Health and Mental Hygiene

Fiscal 2004 Actions

The Office of the Chief Medical Examiner is subject to limited cost containment measures in fiscal 2004, namely an efficiency reduction of \$36,917 affecting the office's equipment replacement schedule. The office remains subject to the hiring freeze, though exemptions have been granted for all medical examiner positions. Certain positions supporting the functions of the medical examiners, including laboratory and clinical staff, remain subject to the hiring freeze.

Governor's Proposed Budget

The fiscal 2005 allowance increases funding \$0.6 million over the fiscal 2004 working appropriation, detailed in **Exhibit 2**. The increase is overstated because certain expenses, namely for personnel and a new data management system, are not yet reflected in the fiscal 2004 working appropriation. Once these funds are introduced by budget amendment, the difference between fiscal years will decline.

Exhibit 2
Governor's Proposed Budget
Office of the Chief Medical Examiner
(\$ in Thousands)

	<u>FY 03</u> <u>Actual</u>	<u>FY 04</u> <u>Approp.</u>	<u>FY 05</u> <u>Allowance</u>	<u>FY 04-05</u> <u>Change</u>	<u>FY 04-05</u> <u>% Change</u>
General Funds	\$6,499	\$6,338	\$6,834	\$496	7.8%
Contingent & Back of Bill Reductions	0	0	-24	-24	
Adjusted General Funds	\$6,499	\$6,338	\$6,810	\$472	7.4%
Federal Funds	\$38	\$129	\$132	\$3	2.3%
Contingent & Back of Bill Reductions	0	0	-1	-1	
Adjusted Federal Funds	\$38	\$129	\$131	\$2	1.6%
Reimbursable Funds	\$62	\$0	\$114	\$114	100.0%
Contingent & Back of Bill Reductions	0	0	0	0	
Adjusted Reimbursable Funds	\$62	\$0	\$114	\$114	100.0%
Adjusted Grand Total	\$6,599	\$6,467	\$7,055	\$588	9.1%

Where It Goes:

Personnel Expenses

Addition of pathology position to reduce average caseload	\$105
Workers' compensation premium assessment	73
Increments and other compensation	70
Increase in overtime due to underbudgeting in prior fiscal year	70
Net fiscal 2004 cost containment and turnover adjustments.....	11
Increase in unemployment compensation surcharge	8
Reduction in employee and retiree health insurance	-57
Other	4

Subtotal

284

Other Changes

Project to improve availability of traffic fatality data among State agencies	114
Increase in use and price of steam.....	42
Reimbursement to body transportation service providers, based on fiscal 2003 actual expenditures	31
Telephone charges, based on fiscal 2003 actual expenditures	31

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Where It Goes:

Laboratory and medical supplies, based on fiscal 2003 actual expenditures.....	31
Addition of part-time contractual pathology and clerical personnel.....	27
Reimbursement of deputy medical examiners and county forensic investigators, based on 2003 actual expenditures	19
Equipment repair and maintenance	11

Total **\$588**

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

Personnel Expenses

The fiscal 2005 allowance includes an increase of \$170,133 for salaries. The majority of the increase, \$105,047, provides for the reclassification of positions to increase the number of medical examiners. Although these positions have already been reclassified, the budget amendment required to increase the fiscal 2004 general fund appropriation for salaries has not yet been processed, overstating the increase in the fiscal 2005 allowance. The remainder of the increase in earnings reflects the inclusion of increments and other salary adjustments in the Governor’s proposed budget.

The personnel budget also includes a \$70,000 increase in overtime compensation in fiscal 2005. Despite the increase, the level of funding for overtime remains significantly below fiscal 2003 actual expenditures. The fiscal 2005 allowance also includes a \$56,899 reduction in employee and retiree health insurance expenditures. This reduction will align the health care appropriation with year-to-date expenditures.

Operating Expenses

The allowance includes \$113,500 in reimbursable funds for a traffic fatality data management system. This project is the result of a collaborative effort among the Office of the Chief Medical Examiner, the State Highway Administration (SHA), and the University of Maryland to increase electronic access to crash data among State units. Although this project has already begun, the fiscal 2004 amendment required to transfer funds from SHA has not yet been processed, overstating the amount of increase in fiscal 2005.

Other increases in operating expenses result from an attempt to correct areas of underfunding in the current budget. The fiscal 2005 allowance for transportation and forensic investigation, as well as utilities and laboratory supplies, aligns expenditures for these items with historic spending levels. Current underfunding of these items will likely require transfer of funds from surpluses elsewhere in

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the department at the end of this fiscal year. Smaller increases are dedicated to the addition of contractual personnel and equipment maintenance costs.

Impact of Cost Containment

The fiscal 2005 allowance reflects the elimination of \$25,004, the appropriation for matching employee deferred compensation contributions up to \$600, contingent upon enactment of a provision in budget reconciliation legislation.

Issues

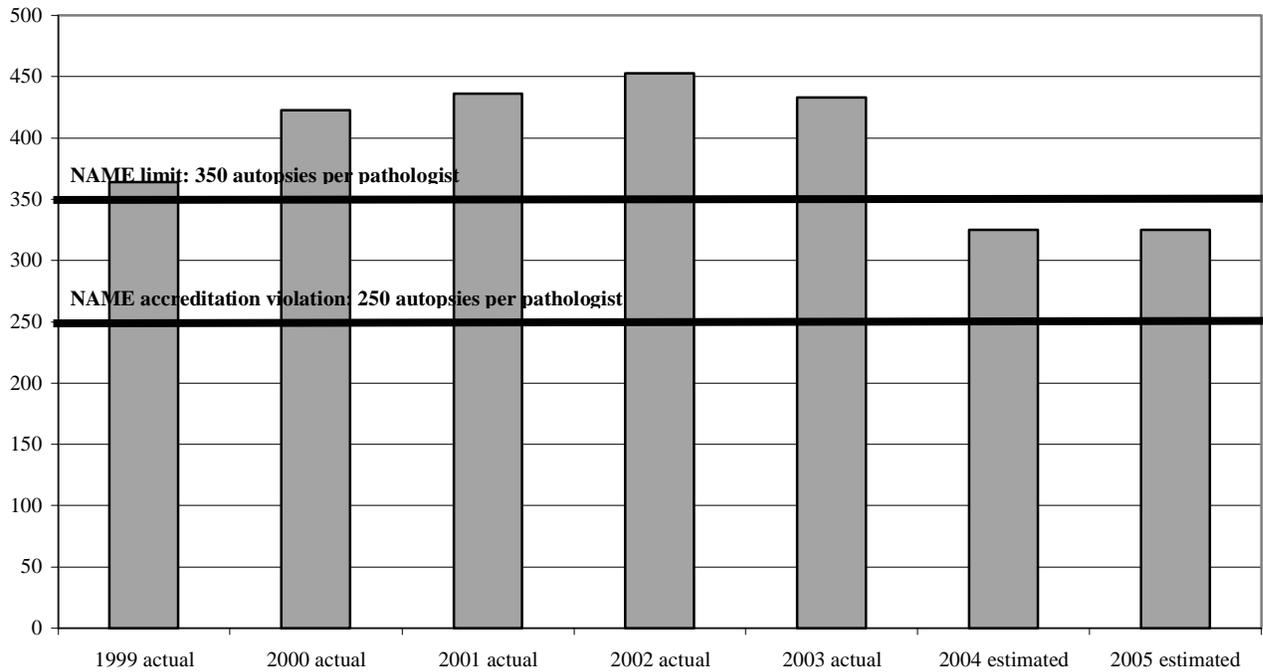
1. Office Adds Pathology Positions to Maintain Accreditation

The Office of the Chief Medical Examiner is accredited by the National Association of Medical Examiners (NAME). The office last underwent the accreditation process in February 1999, at which time accreditation was extended through February 2004. NAME has since revised its accreditation standards, lowering the maximum caseload from 400 to 350 autopsies per year. According to the revised NAME criteria, effective since 2002, each pathologist is limited to an average annual caseload of 250 autopsies; caseloads between 250 and 350 autopsies count as a penalty toward accreditation; caseloads of 350 autopsies or more disqualify an office from NAME accreditation.

Caseload levels at the Office of the Chief Medical Examiner peaked in fiscal 2002, detailed in **Exhibit 3**, as a result of the hiring freeze. Positions added in July 2001 to reduce caseload levels could not be filled immediately; once these positions were filled the average caseload still exceeded NAME accreditation levels. The Office of the Chief Medical Examiner detailed plans to reduce caseload levels and maintain accreditation in a September 2003 *Joint Chairmen's Report* item. According to the report, the office has increased the number of filled pathologist positions from 9.6 to 12.6 by filling a vacant position and converting two others. One of the two converted positions is entirely funded by a bioterrorism grant from the Centers for Disease Control and Prevention; the other converted position is supported with general funds that previously were used for the federally-funded position.

With the above changes, the Office of the Chief Medical Examiner expects to maintain an average caseload of 325 autopsies per pathologist in fiscal 2004 and 2005. The current caseload level will count as a Phase I deficiency in the NAME accreditation process; with no more than 15 such violations, the office will maintain its accreditation for another five years beginning in February 2004. **The Office of the Chief Medical Examiner should comment on the current status of its bid to maintain accreditation with NAME.**

Exhibit 3
Average Number of Autopsies per Pathologist
Fiscal 1999 – 2005



Source: Department of Health and Mental Hygiene, National Association of Medical Examiners

Recommended Actions

	<u>Amount Reduction</u>
1. Delete funding for the addition of contractual personnel. The addition of these positions, an autopsy assistant and a part-time office services clerk, is inconsistent with efforts to limit the growth of the State workforce. If additional staffing is essential, a waiver should be sought from the hiring freeze for existing positions and funding identified from existing resources of the department.	\$ 25,589 GF
Total General Fund Reductions	\$ 25,589

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 2003					
Legislative Appropriation	\$6,204	\$0	\$0	\$0	\$6,204
Deficiency Appropriation	0	0	0	0	0
Budget Amendments	300	0	38	161	499
Cost Containment	-5	0	0	0	-5
Reversions and Cancellations	0	0	0	-99	-99
Actual Expenditures	\$6,499	\$0	\$38	\$62	\$6,599
Fiscal 2004					
Legislative Appropriation	\$6,338	\$0	\$0	\$0	\$6,338
Cost Containment	0	0	0	0	0
Budget Amendments	0	0	129	0	129
Working Appropriation	\$6,338	\$0	\$129	\$0	\$6,467

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

The general fund appropriation increased \$0.3 million to cover the increased cost of overtime, ambulance services, utilities, and other miscellaneous expenses, offset by a reduction of \$3,796 to realign health insurance, telecommunications, and transit expenditures among departmental units.

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Reimbursable funds were increased by \$160,600 as a result of a transfer from SHA. Funds were used to develop a database for sharing highway death information among State agencies. Homeland defense funds increased the federal fund appropriation by \$38,000. Funds were used to purchase protective equipment.

In fiscal 2004, federal funds increased \$128,521 to upgrade a current position to assistant medical examiner.

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

<u>Object/Fund</u>	<u>FY03 Actual</u>	<u>FY04 Working Appropriation</u>	<u>FY05 Allowance</u>	<u>FY04 - FY05 Amount Change</u>	<u>Percent Change</u>
Positions					
01 Regular	75.00	76.00	76.00	0	0%
02 Contractual	1.06	2.17	2.33	0.16	7.4%
Total Positions	76.06	78.17	78.33	0.16	0.2%
Objects					
01 Salaries and Wages	\$ 4,893,543	\$ 4,899,349	\$ 5,208,074	\$ 308,725	6.3%
02 Technical & Spec Fees	347,224	333,937	380,135	46,198	13.8%
03 Communication	54,762	24,541	49,536	24,995	101.8%
04 Travel	2,486	3,262	3,262	0	0%
06 Fuel & Utilities	248,423	187,415	248,423	61,008	32.6%
07 Motor Vehicles	21,668	6,402	7,164	762	11.9%
08 Contractual Services	546,889	445,712	596,797	151,085	33.9%
09 Supplies & Materials	425,906	437,292	460,753	23,461	5.4%
10 Equip - Replacement	46,127	109,407	108,157	-1,250	-1.1%
11 Equip - Additional	4,684	3,556	4,000	444	12.5%
13 Fixed Charges	7,332	15,869	13,201	-2,668	-16.8%
Total Objects	\$ 6,599,044	\$ 6,466,742	\$ 7,079,502	\$ 612,760	9.5%
Funds					
01 General Fund	\$ 6,499,117	\$ 6,338,221	\$ 6,834,494	\$ 496,273	7.8%
05 Federal Fund	38,000	128,521	131,508	2,987	2.3%
09 Reimbursable Fund	61,927	0	113,500	113,500	N/A
Total Funds	\$ 6,599,044	\$ 6,466,742	\$ 7,079,502	\$ 612,760	9.5%

Note: Fiscal 2004 appropriations and fiscal 2005 allowance do not include deficiencies, cost containment, and contingent reductions.

