

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

Operating Budget Data

(\$ in Thousands)

	<u>FY 11</u> <u>Actual</u>	<u>FY 12</u> <u>Working</u>	<u>FY 13</u> <u>Allowance</u>	<u>FY 12-13</u> <u>Change</u>	<u>% Change</u> <u>Prior Year</u>
General Fund	\$10,629	\$9,681	\$10,134	\$453	4.7%
Adjusted General Fund	\$10,629	\$9,681	\$10,134	\$453	4.7%
Federal Fund	263	205	206	1	0.6%
Adjusted Federal Fund	\$263	\$205	\$206	\$1	0.6%
Reimbursable Fund	63	97	0	-97	-100.0%
Adjusted Reimbursable Fund	\$63	\$97	\$0	-\$97	-100.0%
Adjusted Grand Total	\$10,955	\$9,983	\$10,340	\$357	3.6%

- The fiscal 2013 budget increases by \$357,000, or 3.6%. General funds are increasing by \$453,000, or 4.7%.
- Reimbursable funds decrease by \$97,000, or 100%. In fiscal 2012, reimbursable funds from the Governor's Office of Crime Control and Prevention were used to make one-time equipment purchases.

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

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Personnel Data

	<u>FY 11 Actual</u>	<u>FY 12 Working</u>	<u>FY 13 Allowance</u>	<u>FY 12-13 Change</u>
Regular Positions	77.00	76.40	81.40	5.00
Contractual FTEs	<u>7.37</u>	<u>5.55</u>	<u>5.55</u>	<u>0.00</u>
Total Personnel	84.37	81.95	86.95	5.00

Vacancy Data: Regular Positions

Turnover and Necessary Vacancies, Excluding New Positions	3.10	4.06%
Positions and Percentage Vacant as of 12/31/11	5.00	6.54%

- The fiscal 2013 allowance includes an additional 5 regular positions.
- The office receives an additional 3 positions for administrative support and 2 maintenance positions.

Analysis in Brief

Major Trends

Ratio of Cases Per Examiner: The ratio of cases per medical examiner remained constant from fiscal 2009 to 2011; however, this ratio is estimated to increase in fiscal 2012 due to the elimination of 0.6 medical examiners. The National Association of Medical Examiners (NAME) accreditation limit of cases per medical examiner is 325. If the office should exceed this ratio, accreditation status may be in jeopardy.

Percent of Autopsy Reports Completed within 60 Days: The Office of the Chief Medical Examiner has a goal to complete and forward autopsy reports to the State’s Attorney’s Office within 60 working days following an autopsy investigation. Furthermore, NAME accreditation standards require 90% of autopsy reports to be completed within 60 working days. In fiscal 2011, only 67% of autopsy reports were completed within this timeframe.

Recommended Actions

1. Concur with Governor’s allowance.

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Office of the Chief Medical Examiner
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Operating Budget Analysis

Program Description

The mission of the Office of Chief Medical Examiner (OCME) is to:

- provide competent, professional, thorough, and objective death investigations in cases mandated in Maryland statute that assist State's Attorneys, courts, law enforcement agencies, and families;
- 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.

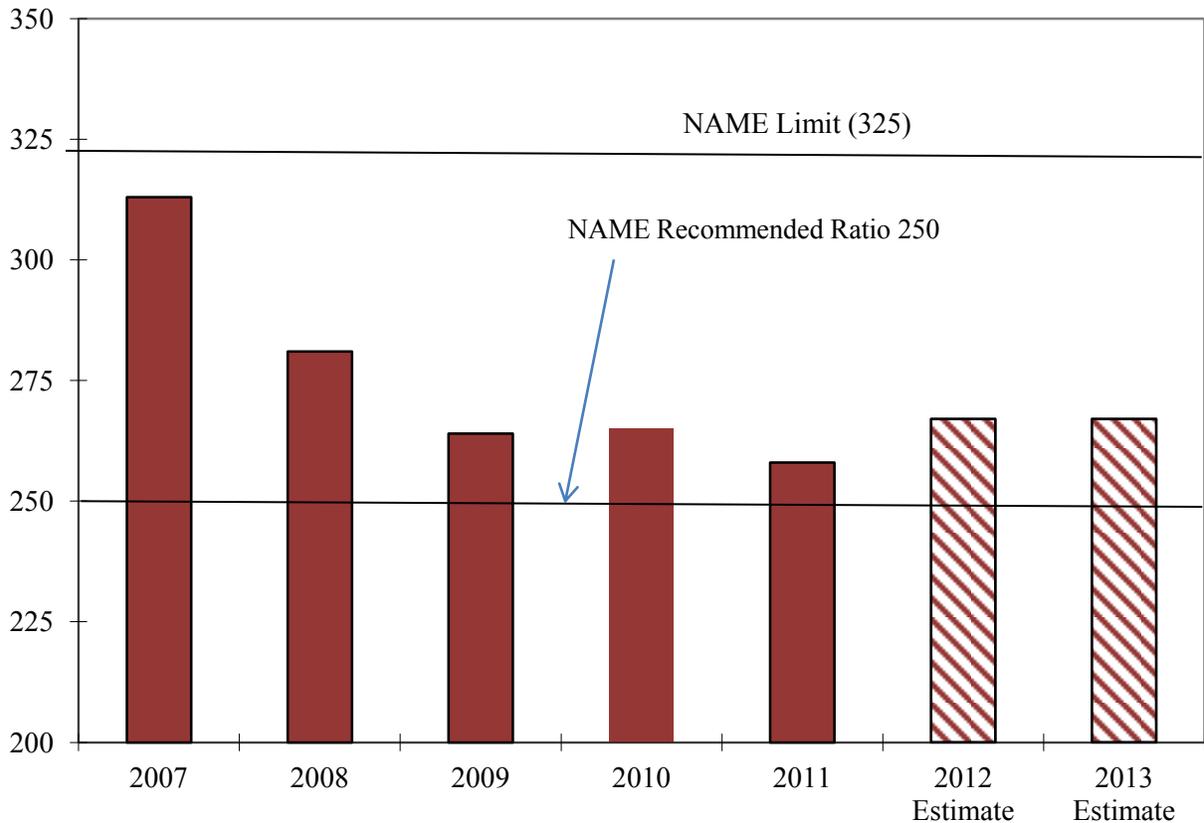
Performance Analysis: Managing for Results

OCME is required to investigate all violent or suspicious deaths, including all deaths unattended by a physician. If the cause of death cannot be established during the initial investigation, a pathologist must perform an autopsy on the deceased.

In fiscal 2007, OCME changed reporting techniques to better reflect the caseload facing pathologists. The agency reports not only the number of autopsies performed but also the total number of cases presented for investigation. Not every death that is presented for investigation will be autopsied, but the agency reports the total number presented for investigation as it adds to the office's caseload. This change was precipitated by a change in the allowable caseload as identified by the National Association of Medical Examiners (NAME), which now includes external examinations in the total number of allowable autopsies per examiner.

Exhibit 1 shows the caseload per examiner, as well as the NAME limit of 325 and the NAME recommended maximum of 250 cases per examiner. The number of medical examiners allocated to the office increased from 13.5 to 15.6 between fiscal 2006 and 2009, causing the ratio of cases per examiner to drop significantly. Further, the total number of investigations dropped in fiscal 2009, leading to another reduction in the ratio of cases per examiner. Although the ratio of cases per examiner was relatively stable from fiscal 2009 to 2011, the agency believes this ratio will increase in fiscal 2012 due to the elimination of 0.6 medical examiners. It is important to note that while the

**Exhibit 1
Cases Per Medical Examiner
Fiscal 2007-2013**



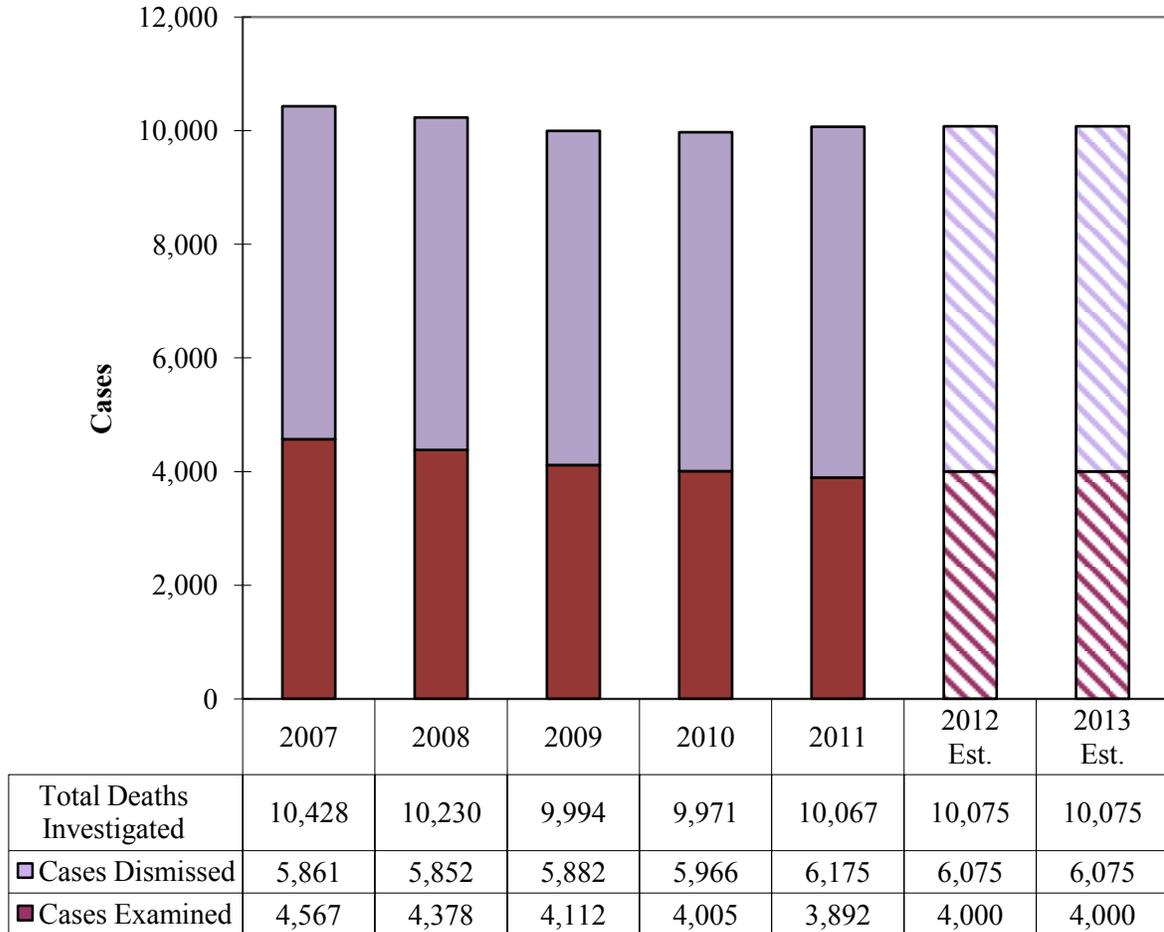
NAME: National Association of Medical Examiners

Source: Department of Health and Mental Hygiene

ratio is still below the maximum allowed for NAME accreditation, it is above the NAME recommended limit.

The number of cases per examiner is also expected to increase slightly in fiscal 2012 due to an increase in total cases examined, as shown in **Exhibit 2**. Fiscal 2009 through 2011 had a low number of cases presented for investigation; however, the agency expects the total number of cases examined in fiscal 2012 to increase slightly. **The agency should advise the committees why the estimated number of cases examined is expected to increase.**

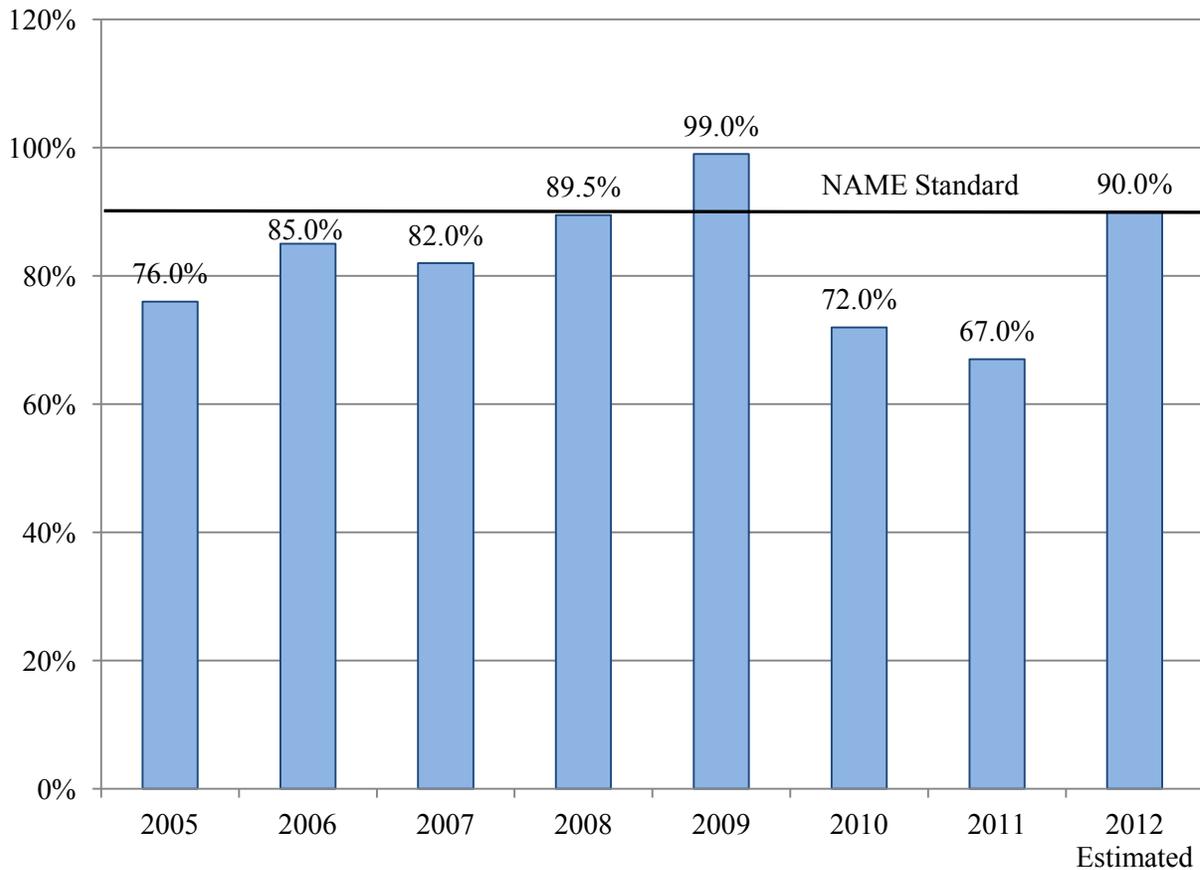
**Exhibit 2
Deaths Investigated by the Office of the Chief Medical Examiner**



Source: Department of Health and Mental Hygiene

Another goal of OCME is to complete and forward autopsy reports to the State’s Attorney’s Office within 60 working days following an investigation. NAME accreditation standards require 90% of all cases to be completed in 60 working days and 100% of cases to be completed in 90 working days. **Exhibit 3** shows the percent of autopsy reports completed within 60 days and forwarded to the State’s Attorney’s Office.

Exhibit 3
Autopsies Reported within 60 Days
Fiscal 2005-2012



NAME: National Association of Medical Examiners

Source: Department of Health and Mental Hygiene

The addition of a new office secretary in fiscal 2008 helped the agency approach the goal of 90% of cases completed within 60 days, and in fiscal 2009, the agency exceeded this goal by completing 99% of cases within 60 days. However, OCME fell short of this goal in fiscal 2011, as only 67% of autopsy reports were completed within 60 days. Furthermore, in fiscal 2011, OCME completed only 72% of cases within 90 days of examination. The office attributes this failure to insufficient transcription support, as OCME lost 2.0 office secretaries – 1.0 through the Voluntary Separation Program, and 1.0 to retirement. The agency has replaced 1 secretary position; however, meeting the 90% goal in fiscal 2012 is still not likely. At the time of this writing, 0.5 office secretary positions at OCME were still vacant.

During a NAME inspection, facilities are judged against two standards – Phase I and Phase II. Phase I standards are not considered by NAME to be absolutely essential requirements; violations in these areas will not directly or seriously affect the quality of work or significantly endanger the welfare of the public or staff. Phase II standards are considered by NAME to be essential requirements; violations in these areas may seriously impact the quality of work and adversely affect the health and safety of the public or staff. Moreover, to maintain full accreditation, an office may have no more than 15 Phase I violations and no Phase II violations. Provisional accreditation may also be awarded for a 12-month period if an office is found to have fewer than 25 Phase I violations and fewer than 5 Phase II violations. If awarded provisional accreditation, an office must address the deficiencies that prevented them from achieving full accreditation.

Currently, it is a Phase I violation if 90% of all cases are not completed within 60 days of examination, and it is a Phase II violation if all cases are not completed within 90 days. Based on the agency's performance in fiscal 2011 and recent staffing reductions, OCME would be at risk to lose its NAME accreditation. As discussed below, the agency is receiving an additional 3 positions in the fiscal 2013 budget to address this concern.

Proposed Budget

As shown in **Exhibit 4**, the fiscal 2013 allowance increases by \$357,000 from the fiscal 2012 working appropriation. General funds account for the majority of this increase, increasing by \$453,000. Federal funds are also increasing by \$1,000. These increases are offset by a \$97,000 decrease in reimbursable funds.

Exhibit 4
Proposed Budget
DHMH – Office of the Chief Medical Examiner
(\$ in Thousands)

How Much It Grows:	General Fund	Federal Fund	Reimb. Fund	Total
2012 Working Appropriation	\$9,681	\$205	\$97	\$9,983
2013 Allowance	<u>10,134</u>	<u>206</u>	<u>0</u>	<u>10,340</u>
Amount Change	\$453	\$1	-\$97	\$357
Percent Change	4.7%	0.6%	-100.0%	3.6%
 Contingent Reductions	 \$0	 \$0	 \$0	 \$0
Adjusted Change	\$453	\$1	-\$97	\$357
Adjusted Percent Change	4.7%	0.6%	-100.0%	3.6%

Where It Goes:

Personnel Expenses

5 new positions	\$198
Retirement contributions.....	119
Regular salaries.....	20
Workers' compensation premium assessment	-3
Turnover adjustments.....	-8
Employee and retiree health insurance	-10
Removal of fiscal 2012 one-time \$750 bonus	-54

Other Changes

Contractual costs for equipment repairs and maintenance.....	118
Lease payments on laboratory equipment.....	31
Funding for deputy medical examiners and county forensic investigator services.....	22
Other adjustments	11
Telecommunications and cell phone costs.....	10
One-time funding for laboratory equipment (reimbursable funds).....	-97

Total **\$357**

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

Personnel

Personnel expenditures increase by \$262,000 in fiscal 2013, primarily due to new positions (\$198,000). OCME received 5 additional positions – 2 secretaries, 1 office services clerk, and 2 maintenance positions. The 2 secretaries and the 1 office services clerk are needed to assist with the transcription of autopsy reports so the agency can forward 100% of autopsy reports to the State’s Attorney’s Office within 90 working days. The 2 maintenance positions are also needed to ensure that the building meets NAME accreditation standards. The agency advises that maintenance in the forensic medical facility is complex as the building is a mixture of autopsy and laboratory areas, as well as office space. Presently, OCME has 1 maintenance position. Maintenance and cleaning standards are also Phase II violations. **The agency should advise the committees how the addition of these 5 positions will assist with meeting NAME standards for autopsy reporting and building maintenance in fiscal 2013. Furthermore, the agency should comment on the extent of staffing problems as it relates to obtaining full accreditation.**

Employee retirement contributions increase by \$119,000, and regular earnings increase by \$20,000. These increases are offset by decreases in workers’ compensation (\$3,000), increased turnover adjustments (\$8,000), and employee and retiree health insurance expenses (\$10,000). Finally, personnel expenses also decrease due to the removal of the fiscal 2012 one-time \$750 bonus (\$54,000).

Other Changes

The fiscal 2013 allowance increases by \$95,000 for various operating expenses. This increase includes an \$118,000 increase in equipment service maintenance contracts for water treatment; heating, ventilation, and air conditioning; elevator; and chiller maintenance. Capital lease payments for new equipment also increase by \$31,000. To purchase equipment for the new forensic medical facility, the agency entered into a five-year purchase agreement to acquire equipment such as gas chromatographs. Funding also increases to reimburse deputy medical examiners and county forensic investigators for their services and align spending with the fiscal 2011 actual costs (\$22,000). Other adjustments and increased telecommunications costs increase the budget by \$11,000 and \$10,000 respectively. These increases were offset by a \$97,000 decrease in reimbursable funds. In fiscal 2012, reimbursable funds from the Governor’s Office of Crime Control and Prevention were used to purchase two tablet pill counters, a specialized digital camera, and a portable fingerprint scanner.

Recommended Actions

1. Concur with Governor's allowance.

Current and Prior Year Budgets

Current and Prior Year Budgets DHMH – 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 2011					
Legislative Appropriation	\$10,008	\$0	\$196	\$118	\$10,322
Deficiency Appropriation	0	0	84	0	84
Budget Amendments	622	0	0	0	622
Reversions and Cancellations	0	0	-16	-56	-72
Actual Expenditures	\$10,629	\$0	\$263	\$63	\$10,955
Fiscal 2012					
Legislative Appropriation	\$9,628	\$0	\$204	\$97	\$9,930
Budget Amendments	53	0	1	0	54
Working Appropriation	\$9,681	\$0	\$205	\$97	\$9,983

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

Fiscal 2011

In fiscal 2011, the budget for OCME closed at \$11 million, an increase of \$0.6 million over the original fiscal 2011 legislative appropriation, primarily due to an increase in general funds.

Budget amendments account for an increase of \$0.6 million (general funds) to realign funds within the Department of Health and Mental Hygiene from programs with surpluses to those with deficits. One deficiency appropriation increased the legislative appropriation by approximately \$84,000 (federal funds) to purchase computer and digital photography equipment.

At the end of the year, approximately \$16,000 of the federal fund appropriation was cancelled due to lower than anticipated expenditures for public health emergency preparedness. Approximately \$56,000 of the reimbursable fund appropriation was cancelled due to an inability to receive funds from the Governor's Office of Crime Control and Prevention.

Fiscal 2012

The fiscal 2012 working appropriation is \$10 million, an increase of \$53,587 over the original legislative appropriation. The fiscal 2012 budget for the Department of Budget and Management (DBM) included centrally budgeted funds for the \$750 one-time bonus for State employees. This resulted in the transfer of funds from DBM to OCME (\$52,780 in general funds, and \$807 in federal funds).

Audit Findings

Audit Period for Last Audit:	March 17, 2008 – May 5, 2011
Issue Date:	July 2011
Number of Findings:	1
Number of Repeat Findings:	0
% of Repeat Findings:	0%
Rating: (if applicable)	n/a

Finding 1: OCME did not always enter into written contracts and obtain competitive bids when procuring goods and services, as required, and had not established sufficient internal controls over disbursements.

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

<u>Object/Fund</u>	<u>FY 11 Actual</u>	<u>FY 12 Working Appropriation</u>	<u>FY 13 Allowance</u>	<u>FY 12 - FY 13 Amount Change</u>	<u>Percent Change</u>
Positions					
01 Regular	77.00	76.40	81.40	5.00	6.5%
02 Contractual	7.37	5.55	5.55	0.00	0%
Total Positions	84.37	81.95	86.95	5.00	6.1%
Objects					
01 Salaries and Wages	\$ 7,487,452	\$ 7,048,117	\$ 7,314,587	\$ 266,470	3.8%
02 Technical and Spec. Fees	608,557	537,925	552,432	14,507	2.7%
03 Communication	74,835	64,075	74,695	10,620	16.6%
04 Travel	2,238	4,340	4,124	-216	-5.0%
06 Fuel and Utilities	683,384	562,644	562,644	0	0%
07 Motor Vehicles	8,732	10,434	9,436	-998	-9.6%
08 Contractual Services	970,057	1,019,947	1,186,740	166,793	16.4%
09 Supplies and Materials	612,507	601,021	599,537	-1,484	-0.2%
10 Equipment – Replacement	207,950	120,869	8,762	-112,107	-92.8%
11 Equipment – Additional	287,008	0	0	0	0.0%
13 Fixed Charges	12,252	14,106	27,450	13,344	94.6%
Total Objects	\$ 10,954,972	\$ 9,983,478	\$ 10,340,407	\$ 356,929	3.6%
Funds					
01 General Fund	\$ 10,629,403	\$ 9,681,172	\$ 10,133,938	\$ 452,766	4.7%
05 Federal Fund	263,024	205,256	206,469	1,213	0.6%
09 Reimbursable Fund	62,545	97,050	0	-97,050	-100.0%
Total Funds	\$ 10,954,972	\$ 9,983,478	\$ 10,340,407	\$ 356,929	3.6%

Note: The fiscal 2012 appropriation does not include deficiencies.