



## OFFICE OF THE MEDICAL INVESTIGATOR

### NEW MEXICO BOARD OF MEDICAL INVESTIGATORS MINUTES OF GENERAL MEETING – December 5, 2023

NM Office of the Medical Investigator  
The University of New Mexico Health Sciences Center

#### **BOARD PRESENT:**

<b>Patrick Allen</b> <i>Chair</i>	Cabinet Secretary, New Mexico Dept. of Health
<b>Patricia Finn, MD</b> <i>Vice Chair</i>	Dean, UNM School of Medicine
<b>Troy Weisler</b> <i>Board Secretary</i>	Chief, New Mexico State Police
<b>Kent House</b> <i>Board Member</i>	Chair, New Mexico Board of Funeral Services
<b>James Mountain</b> <i>Board Member</i>	Cabinet Secretary, New Mexico Dept. of Indian Affairs

#### **ATTENDEES:**

Albert Arocha	Member of the public
Natalie Adolphi, PhD	Director of the Center for Forensic Imaging, OMI
Amy Atiano	HR Administrator 1, OMI
Kim Bachechi	Senior Operations Manager, OMI
Michael Barela	Administrative Assistant 1, OMI
Janice Blevins	Senior Deputy Medical Investigator, OMI
La Vonda Bowens Woodard	Director of Operations, OMI
Greg Brachle	Supv, Technical Services/OMI
Paul Carbajal	Administrative Assistant 3, OMI
Erika Cavalier	Senior Autopsy Tech, OMI
Anthony Cervantes	Unit Administrator 1, OMI
Chris Coffman	Deputy Medical Investigator, OMI
Philip Dees	Senior Deputy Medical Investigator, OMI
Lauren Dvorscak, MD	Deputy Chief Medical Investigator, OMI
Gina Endlich Terrazas	Administrative Assistant 3, OMI
Elizabeth Gonzales	Supv, Technical Services/OMI
Emily Helmrich, DO	Medical Investigator, OMI
Heather Jarrell, MD	Chief Medical Investigator, OMI
Nancy Joste, MD	Professor, Chair, UNM Dept. of Pathology
Kim Manning	HR Tech, OMI
Francisco Martinez	Senior Deputy Medical Investigator, OMI
Josett Monette	NM Department of Indian Affairs
Rhonda Moya	Deputy Medical Investigator
Josie Navarrette	Administrative Assistant 3, OMI
Charlene Perales	Administrative Assistant 3, OMI
Daniel Romero	Member of the public
Scot Sauder	Deputy University Counsel, UNM
Kyla Sorensen	Accountant 3, OMI
John Thies	Supv, Technical Services/OMI
Adriana Torres	Deputy Medical Investigator, OMI
Kristinn Townsend	Deputy Medical Investigator, OMI

1. **CALL TO ORDER AND CONFIRMATION OF QUORUM**

Secretary Allen called the meeting to order at 1:00 PM and confirmed a quorum.

2. **ADOPTION OF THE AGENDA (action item)**

Dean Finn **MOVED** to adopt the agenda. Mr. House **SECONDED**. All were in favor. Motion **CARRIED**.

3. **VOTE TO APPROVE MINUTES (action item)**

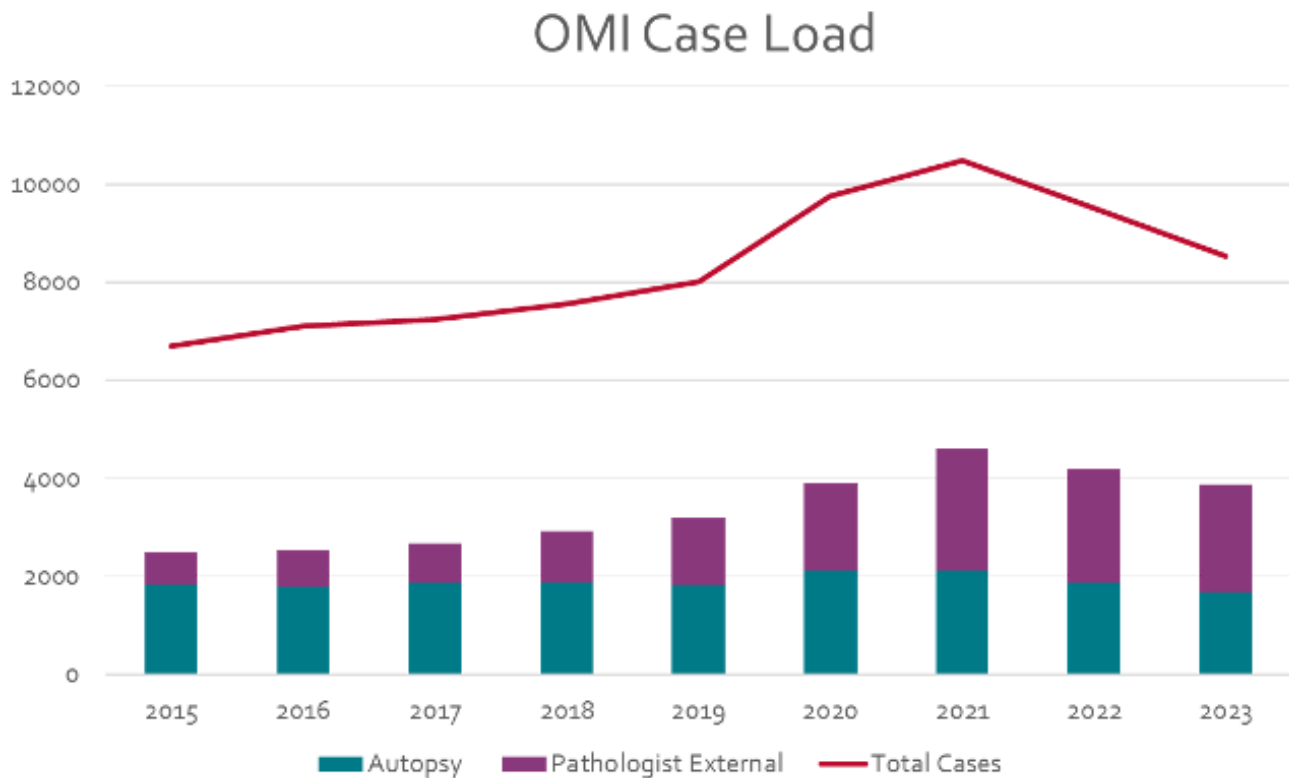
- a. February 17, 2022 – Special Meeting
- b. March 7, 2022 - Special Meeting
- c. March 14, 2022 – General Meeting
- d. August 16, 2022 – General Meeting
- e. February 9, 2023 – General Meeting
- f. May 2, 2023 – General Meeting

Dean Finn **MOVED** to approve the minutes. Mr. House **SECONDED**. There were no objections. Motion **CARRIED**.

4. **REPORT FROM THE CHIEF (information item)**

**Case Volume Trends:**

Dr. Jarrell highlighted the case load trends of the Office of the Medical Investigator (OMI) over the past few years. Dr. Jarrell mentioned that case work is trending back downward, returning to the pre-pandemic upward predictable trend that we have historically seen.



**Staffing:**

Dr. Jarrell provided information regarding the role of Field Investigators at OMI. Field Deputy Medical Investigators are responsible for responding to scenes where central office investigators cannot get to other counties.

OMI has been facing challenges in providing sufficient field investigator coverage in the northeast part of the state. This has especially been a concern in Dona Ana County where there have been concerns about migrant deaths due to their remote location, making it difficult to have a timely response. There is also the lack of an investigator in Hildago county, which is close to the border.

Dr. Jarrell highlighted increased staffing in the office.

- Decedent Affairs Department (Supervisor, 3 staff): Legal next of kin searchers.
- Central Office Investigations: Increased investigators from 16 – 18 from 2021 to present.
- Autopsy technicians have increased since 2020 from 10 – 18.
- Hired 11 staff for the Accessioning Department (Receiving and releasing decedent)
- Medical Records: Increased staffing by 120%
- Turnover at the end of FY23 was 44%; currently at 20%
- Due to the amount of new staffing positions being requested, an agency reorganization was requested by UNM School of Medicine (SOM)
- Locums Tenens Forensic Pathologists
- Reorganization was submitted by OMI to UNM SOM in October 2022, which is still pending approval.
  - Mid-level supervisory field investigator positions are within the proposed reorg.

**Active and Pending Contracts and Grants:**

**OMI Active and Pending Contracts and Grants**

	PI	Sponsor	Title	Award End Date	Budget
<b>Active Awards</b>					
	Edgar	DOJ	Cold Case Resolutions for the State	9/30/2026	\$ 999,558
	Gallego	NIH / New York University	The SARS-CoV-2 Autopsy Cohort Post	5/23/2024	\$ 929,523
	Gallego	NIH / CV Path Institute	Improving Understanding and Diagnos	2/29/2024	\$ 42,322
	Jarrell	New Mexico Crime Victims Reparations Commission	VOCA FY24	9/30/2024	\$ 99,441
	Jarrell	New Mexico Public Safety Department	2022 Paul Coverdell Forensic Science	6/30/2024	\$ 61,731
	Lathrop	US Consumer Product Safety Commission	MECAP Reports	7/31/2024	\$ 5,859
	Lathrop	CDC Foundation	Medicolegal Death Investigation Nov	9/29/2025	\$ 250,000
	Rodriguez	DOJ	Expert Witness Agreement	10/24/2024	\$ 5,425
<b>Pending Awards</b>					
	Lathrop	DOH	Increase Timeliness of Fatal Opioid Overdose	6/30/2024	\$ 521,586

**Legislative Specials Request:**

On December 1, 2023, Dr. Jarrell had the opportunity to present a request to the Legislative Health and Human Services Interim Committee concerning the Office of the Medical Investigator (OMI).

**Autopsy Table:**

During the presentation, Dr. Jarrell emphasized the urgent need for the replacement of the 16 autopsy tables at the OMI. Dr. Jarrell brought to the boards attention that this request was previously included in last year’s appropriations request. It did manage to reach the executive stage; however, it did not receive approval from the executive committee.

Autopsy Tables x 16: Estimated cost for tables:

\$900k, plus installation costs of approximately \$400k (Total: \$1.3 million)

- Current issues:
  - Tables leaking.
  - Alarms non-functioning.
  - Outdated tables beyond service repair.

Additional Specials Requests:

- 16 Replacement Stryker Surgical Lights and Booms (\$1,914,053.80)
- 2 Replacement Servers and Storage (\$61,200)
- 1 Replacement Stationary Kettle (\$32,252.54)
- \* 2 Replacement Vehicles (\$90,000)
- \* 2 Replacement Lab Refrigerators/Freezers (\$22,053.12)
- \* 2 Replacement Washers and Dryers (\$39,587.32)

*\*Previously submitted for special appropriation request, 10/2022*

2023 Accomplishments:

- Largest recurring state appropriations increase in OMI history at \$3.1 million
- Updated state statutes with regards to unclaimed decedents
- Increased Staffing
- Employee Turnover reduced (20%)
- Established a functional inventory system.
- Created a more efficient system for medical records.
- Administrative coverage 7 days a week for law enforcement access to view autopsies.
- Average turnaround time (TAT) autopsy reports: 44 days
- Hired 2 PA's (1 full-time, 1 part-time)

2024 Needs:

- Replace autopsy tables and other outdated equipment as approved by special appropriations.
- Integration of Death Certificates with BVS
- Updating Standard Operating Policies/Procedures (SOPs)
- Strategic Plan Update
- Reduction of decedent storage for non-jurisdictional deaths.
- Work with NM Counties to create plan to property of unclaimed decedents.
- Propose state statute update regarding death certificate needs and PCP coverage.
- Continue to advocate for funding increases to meet expenditures.
- Strengthen and maintain stakeholder relationships.
- Death Certification Training for PCPs.
- Major Need: More advocacy before state legislature

5. **BUDGET (information item)**

Dr. Jarrell provided an overview of the OMI FY24 Income Statement Projections from July 1, 2023, to June 30, 2024. The state appropriations for the OMI are \$10.6 million, which is an increase from \$7.6 million in FY23. Currently state appropriations cover 66% of OMI expenses.

In terms of hospital revenue, the University of New Mexico Hospital (UNMH) is expected to generate \$587,000, which is a 25% decrease compared to FY23. The OMI is responsible for issuing and certifying all death certificates for inpatient deaths at UNMH and SRMC, as well as providing autopsy services for both hospitals. The decrease in revenue is attributed to a reduction in hospital autopsies.

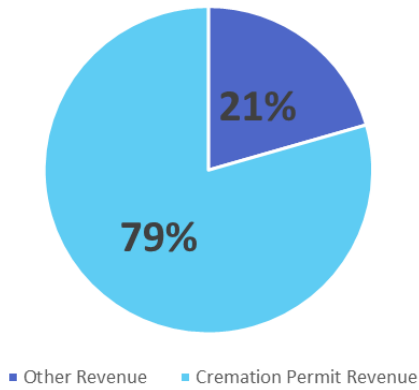
<b>OMI FY24 Income Statement Projections 7/1/23 - 6/30/24</b>		
<b>Revenue</b>		
<b>Operating Revenue</b>		
	State Appropriations	\$10,628,000
	University Hospital Revenue	\$587,482
	Sandoval Regional MC Revenue	\$15,417
	Other Sales and Services	\$4,233,729
	<b>NYU RECOVER Cohort Autopsy Study</b>	<b>\$55,488</b>
<b>Intra University Activities</b>		
	Gains from Sponsored Projects	\$420,660
	Transfer & Allocation	(\$45,424)
	FEMA Covid-Related Reimbursement	-
<b>Total Revenue</b>		<b>\$15,895,352</b>
<b>Expenses</b>		
	Salary & Fringe	\$10,524,914
	Body Transportation	\$1,993,695
	Utilities & Plant Maintenance (SLD, Security, Kone Elevator, Pest Control, etc...)	\$792,082
	Equipment Warranties (CME annual licence, Siemens, CT Scanner mis maintenance, etc...)	\$212,781
	Services (CLEAR database, records storage, PACS, Grief Consult, TriCore, etc...)	\$575,890
	Patient Care Expenses (PPEs, Body Bags, Formalin, etc...)	\$388,103
	NMS	\$178,929
	Other Expenses (Appr's Overhead, travel, FDMIs mileage reimb, Supplies, Banner tax, etc...)	\$1,099,016
<b>Total Expenses</b>		<b>\$15,765,410</b>
<b>FY24 Projected Net</b>		<b>\$129,942</b>
<b>FY23 Reserves</b>		<b>\$134,222</b>
<b>FY24 Overall Projected Net</b>		<b>\$ 264,164</b>

OMI generates revenue from sales and services, which comprises non-appropriation revenue. The major component of this revenue is the cremation permit revenue, which accounts for 79% of the non-appropriation revenue. For FY24, the projected cremation permit revenue is \$3.2 million, representing a 4.5% decrease compared to the previous year. This decrease aligns with the anticipated trend of decreased deaths and caseloads, which is expected.

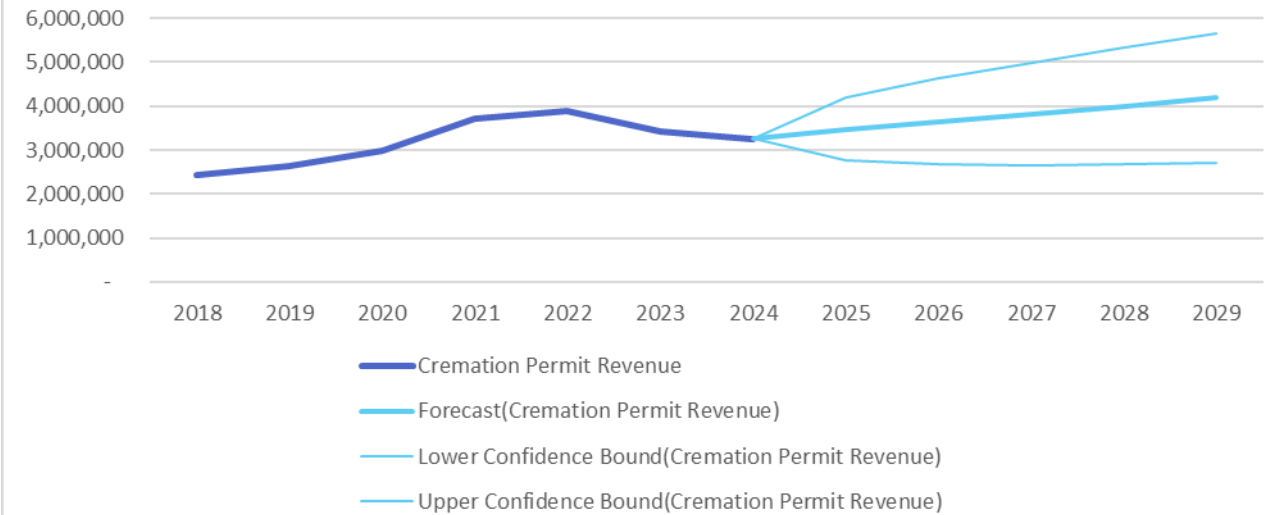
Currently, the fee for cremation permits stand at \$200, with an additional \$30 handling fee. Dr. Jarrell wants to reduce the fee to \$50 and potentially have it supported by recurring state appropriations. The board would have to vote to increase cremation permit fees. Funding stability would be crucial in order to implement such a reduction to the cremation permit fee.

Research and Public Service Projects (RPSP) is the UNM process through which the OMI requests funding from the legislature. OMI falls under higher education in this context. A Request for expansion is submitted a year in advance of the legislative session.

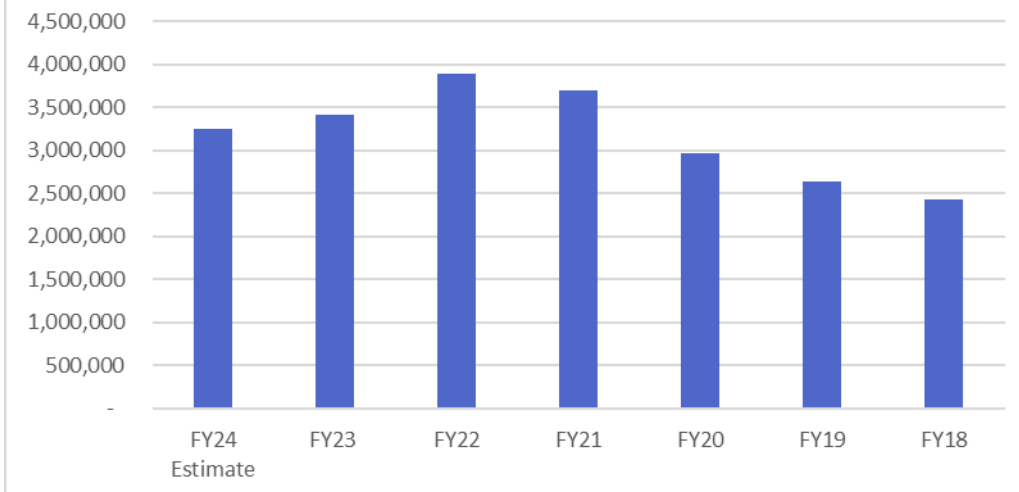
FY24 Cremation Permit Revenue Versus Other OMI Revenue



Cremation Permit Revenue - Projections



Cremation Permit Revenue



The OMI categorizes toxicology cases as either Pending Toxicology or Non-Pending Toxicology.

**Pending Toxicology** refers to cases involving suspected or potential drug overdoses. The OMI spends approximately \$41K per month on these types of cases.

**Non-Pending Toxicology** refers to cases involving motor vehicle collisions, homicides, and other incidents where toxicology testing may not be necessary to determine the cause and manner of death. The OMI spends approximately \$500k per year on these types of cases. While non-pending toxicology testing may not be required to meet statutory requirements for the OMI, it is still important for entities such as law enforcement, district attorneys, defense attorneys, and the Department of Health. The OMI has received funding support from the New Mexico Department of Health. However, it is noted that historically, covering the cost of non-pending toxicology cases has been a challenge for the OMI.

6. **PUBLIC COMMENT**

First, I would like to say good afternoon to the board. I know the work that you do is important. You hold leadership roles, wear other hats, business that helps the State of New Mexico and citizens every day, so I just want to recognize you and say thank you.

Board members my name is Albert Arocha, I come to you today as constituent, as a community member and as a former employee of the Office of the Medical Investigators for about 15 years. I started off as a student morphology technician, and gradually made my way to the supervisor of the morphology department. During my time at OMI, I befriended many current and former employees, partnering organizations. From State building, hospitals, funeral homes, laboratories, New Mexico Donor Services, coalition, law enforcement. All though I do not represent any of them here today, I will say that I'm here to communicate a consensus of concern. Um, In regards to a hostile work environment, an unsafe place to work, and to degree how employees past and present have and are being treated. Now this could be viewed as a matter of opinion, however, I'm afraid, I would view this as a matter of fact, why fact? Well, it is factual because its supported by evidence. Um texts, emails, conversations, dialogs, complaints, outcomes, judgements, finds. And given my experience with The Office of the Medical Investigators and the work that I've seen, I would have to say this is due to Dr. Jarrell, La Vonda, and Amy. Their inability to practice controlled ego and illustrate a level of emotional intelligence. Now, um, I would like to share with you a personal experience that I've had. Earlier this year I submitted my two weeks letter of resignation. I communicated concerns, prospective, advise, and an opinion, I was met with an expedited departure being the very next day. My office was wiped clean, laptop was cleared. Now this wouldn't have been such of an issue if morphology wasn't a complex department. We over, I over saw histology, toxicology, microbiology, evidence, the maintenance, and upkeep of the equipment such as autopsy tables, tray wash, the striker lights, saws, equipment, um, PPE, masks, um scheduling working with the university. Now I say it is because of leadership and their inability to practice this level of emotional intelligence and humility. Because my leaving warranted a transition. To avoid floods, exposing SLD to biological waste, putting state employees in harms way. I've worked on these tables; I've actually rolled up my sleeves and been up and down there with tools making sure that we met our obligation in keeping the other occupancies in this building safe. Or for example information that would ensure that employees were fit tested, and that we use the appropriate masks, ensured that everybody who assisted or worked on medicolegal death examinations were able to do their work in a safe manner. Why did we have masks? Um why are we using this mask, where are we at? Or the safety of our staff technicians. – Sec. Allen states, “I am afraid you'll need to wrap up”. Mr. Arocha continues. Ok, with that being said, I am here today to ensure that, you are, the board is made aware. Um the School of Medicine refuses to take action, um my assumption is that it is due to politics and power. Um, just know that we will reach out to our constituents, or excuse me, our legislatures who um will decide on funding or any other type of legislation that goes to the state of New Mexico. Um.. – Sec. Allen states, “Your time has expired”. Mr. Arocha closes and states, Thank you so much for your time.

7. **VOTE TO CLOSE THE MEETING AND PROCEED IN CLOSED SESSION**

Sec. Allen asked for a motion to close the general meeting and proceed in executive session. Sec. Mountain **MOVED**. Dean Finn **SECONDED**. Motion **CARRIED**.

Mr. Cervantes took roll call:

Sec. Allen – Yes  
Dean Finn – Yes  
Chief Weisler – Yes  
Sec. Mountain – Yes  
Mr. House – Yes

All were in favor. General session closed at 1:47 PM.

8. **RE-OPEN THE GENERAL MEETING**

The general meeting re-opened at 2:16 PM. Chairman Allen certified that only the matters described in the executive session agenda were discussed during closed session and there is no final action to take.

Chairman Allen announced a new board practice with regards to human resources complaints at the OMI. Going forward, board members who receive such complaints will forward them to Chairman Allen. He will then forward them to the appropriate body at UNM for investigation. A report will be provided to the board regarding the outcome of the investigation. Additionally, Chairman Allen requested a report on the hostile work environment claim that was brought up during the public comment portion of today's meeting.

9. **ADJOURNMENT**

Sec. Allen asked for a motion to adjourn the meeting. Dean Finn **MOVED**. All were in favor. The meeting **ADJOURNED** at 2:18 PM.