



# Pinellas County

## Staff Report

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File #: 17-1442A, Version: 1

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### **Subject:**

Agreement for Medical Examiner and forensic laboratory services.

### **Recommended Action:**

Approval and execution of the professional services agreement between Pinellas County and John R. Thogmartin, M.D., P.A., District Six Medical Examiner (Medical Examiner) and a Memorandum of Understanding (MOU) with Business & Technology Services (BTS).

### **Strategic Plan:**

Ensure Public Health, Safety, and Welfare

2.1 Provide planning, coordination, prevention, and protective services to ensure a safe and secure community

2.2 Be a facilitator, convener, and purchaser of services for those in need

### **Summary:**

The agreement is for Medical Examiner and forensic laboratory services in accordance with Chapter 406, Florida Statutes and Chapter 11G, Florida Administrative Code. In addition, Dr. Thogmartin agrees to furnish all necessary laboratory tests in accordance with Chapter 943, Florida Statutes, and provide for the analysis of evidence seized by law enforcement agencies in the County pursuant to their authority under Florida law.

The MOU, between the County and BTS, outlines the policies and procedures for control of data as required for accreditation. The MOU is required to ensure technology support by BTS will meet the accreditation standards for the Medical Examiner.

### **Background Information:**

Forensic laboratory services are an integral part of the criminal justice system. Under Section 406.06 (3) and 406.08(1), Florida Statutes, the Board of County Commissioners is responsible for the payment of the Medical Examiner's fees, salaries, and expenses.

The Medical Examiner workload has increased in volume to similar degrees and circumstances as was seen in the "pill mill" crisis of 2007-2011. The increase in Medical Examiner cases has been driven by the influx of powerful synthetic opioid drugs (primarily fentanyl and analogs) and other drugs. The abuse of these new drugs is reflected in the calendar 2016 Medical Examiner workload. As compared to 2015, Pinellas and Pasco county autopsies for 2016 increased by 13% (144 additional autopsies) and scene investigations increased by 6.6% (70 additional scene investigations).

The forensic laboratory saw a 5% overall increase in case submission. The chemistry unit saw submissions of over 30 new drugs or new drug combinations that require significantly more testing and analytical resources. Additionally, the DNA section of the laboratory anticipated an increase in

sexual assault casework with the new Sexual Assault Kit Law; however, the increase was 100% higher than expected.

According to the Medical Examiner's 2016 Annual Report, the Medical Examiner accepted 1,465 Pinellas County death cases for examination. Toxicology screenings showed that 277 of the Pinellas cases had substance-related deaths. This is comparable to the peak of 280 substance-related deaths in 2010, and an increase from the 179 substance-related deaths in 2015.

An MOU is attached for technological services which incorporates policies and procedures drafted in accordance with the ISO/IEC 17025:2005 General Requirements for Competence of Testing and Calibration Laboratories, Section 5.4.7. Control of Data, as required for the Medical Examiner and Forensic Laboratory's ANSI-ASP Accreditation. The MOU is required as outlined within Section 9B of the Medical Examiner agreement.

**Fiscal Impact:**

The agreement amount for Fiscal Year 2018 (FY18) is an amount not to exceed \$5,416,650.00 as included in the professional services line item of the FY18 budget.

Payments to Medical Examiner shall be made bi-weekly for 26 billing periods in an amount not to exceed \$208,332.69.

The first three (3) payments of the agreement will be made in an amount not to exceed \$624,998.07 as the first payment of the term of the agreement.

**Staff Member Responsible:**

Lourdes Benedict, Director Human Services

**Partners:**

Medical Examiner for the Sixth Judicial Circuit

**Attachments:**

Medical Examiner Agreement  
Schedule A List of Fees for Services  
Schedule B Certificate of Liability Insurance  
MOU with BTS for ME Support  
BTS Policies for ME Support  
Appendix A to BTS Policies  
Medical Examiner 2016 Annual Report