

MEDICAL EXAMINER Report 2022

Submitted By
CHAD KINGSLEY MD
Public Health Director





Table of CONTENT

02

Purpose

03

Glossary

04

Scope of Death

05

Death Data

07

Distribution List

08

Investigation Analysis

09

Results

14

Recommendations



PURPOSE



Mohave County has met end-of-life services for over fifteen years by contracting with a qualified provider to manage the Office of Medical Examiner (OME). Previous Mohave County contracts, established through its Procurement department, provided a licensed forensic pathologist who performed the office's administrative and medical requirements. At the end of the last contract, the Contractor opted not to continue the administrative functions required.

Multiple Request for Proposals (RFP) revealed limited interest by qualified firms. Through active promotion, a single qualified candidate submitted a proposal to the Procurement department's Request for Proposal (RFP). The local candidate, who owns and operates several funeral homes, proposed providing the OME's administrative operations while retaining the previously contracted forensic pathologist solely for medical services. Additionally, the Contractor understood the County's intention to end the contract by reincorporating the OME into County operations.

Shortly after the contracted services began, a few licensed funeral homes expressed concerns about the OME's operation and data. The County Contract Administrator and Procurement department worked with the Contractor and funeral homes towards a resolution. Feeling their concerns were not reasonably met, a few funeral homes sought to redress their grievances by contacting media organizations and elected officials.

This report is to provide a cumulative resource for the disputed Contractor, Mohave County's Contract, and stakeholders.



GLOSSARY

Autopsy Technician

A technician that the Forensic Pathologist directs in autopsy assistance. The Contractor's OME technicians also serve as Forensic Investigators.

Contractor

The organization that is offering services for the County. Currently, it is Serenity Memorial Group and interchangeable for the Chief Operating Officer.

Contractor Administrator

The Public Health Director is designated responsible for monitoring and overseeing the Contractor's performance under the contract.

Forensic Investigator

The person initially responsible for capturing evidence from the scene of the incident. The Contractor's OME investigators also serve as Autopsy Technicians.

Forensic Pathologist

A licensed medical doctor who is specially trained to perform autopsies, investigate suspicious deaths, and determine how and by what means a person died.

Medical Examiner

A medically supervised or qualified person who is responsible to investigate deaths that occur under unusual circumstances; an interchangeable OME title.

NOK & OME

Next of Kin & Office of Medical Examiner.















TRANSPARENCY

For the first time, death data was required by contract to be made available. Data is presented without personal identifiers and funeral homes are unable to verify monthly cases.

Agencies are required to report within 24 hrs. Some report months later, erroneously increasing, or decreasing corresponding months. Agencies also report by fax, on old copies, with missing data fields.









SOFTWARE

The OME has been using Excel to record and store data. To begin reporting, excel sheets were transferred into another software creating duplicate data and error fields.

Funeral homes receive a monthly invoice for cremation permits. Due to various errors, current reporting is misinterpreted. An invoice should not be used to verify data or be considered data reporting.



COMPARING DATA

Additional Discrepancies:

- NOK will change funeral homes, causing reporting errors.
- Law enforcement will reopen a case after the OME has left.
- Human error in data entry.









Gastric and duodenal ulcer 2,331

Oesophagus, stomach and

Why does the OME data report (ex.,18) cases but the funeral home only has (ex.,6) cases on its invoice for cremation permit? Where are the cases?

All previously discovered data errors contribute to the problem of inflated and inaccurate reporting.

- Cases occurred in previous months but were reported in the current month.
- Cases are duplicate errors caused by human data entry errors and incompatible software transfers.
- Cases include all deaths, not just OME investigations.
- Cases on a financial invoice may not compare to data sets used for reporting.
- Active cases may remain open and be carried over to the following months.
- These errors have occurred for several years but were only discovered when transparency was required.

Recommendations

- 1. Replace Excel with an Electronic Medical Record designed for Medical Examiners.
- 2. Work with agencies to improve reporting methods.
- 3. Develop an encrypted data sharing method between OME and funeral homes if contractually permitted.



Motorcyclist n transport iccident

ses 13 nility

Babies dying before, durin or after birth

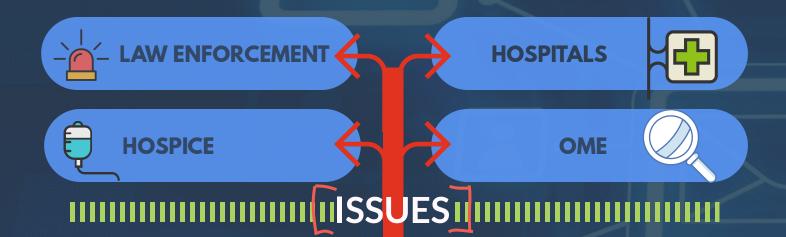
Cancer of pancreas

Scope of DISTRIBUTION LIST



The Mohave County distribution list is determined by geographical areas that allow a 30-minute response time for funeral homes. The **Public Fiduciary** creates the list for licensed funeral homes and distributes it to agencies. A funeral home has to opt out to not be included.







Law Enforcement is limited by their wait times and might search for a faster arrival, thus going outside the distribution list's order.







There is no 1:1 distribution of funeral homes, and certain funeral groups will have a higher percentage of referrals.



ARS 11-600 County Medical Examiner may establish geographical areas and rotation list





Investigation ANALYSIS

01

Scope of Research

Reviewed available Public Records from the last 15 years.

Reviewed Arizona Revised Statutes (ARS).

Reviewed OME Contracts (Current & Past), Funeral Home County Procurement Contracts.

Meet with Law Enforcement (County Sherriff & Dispatch); Contacted FBI.

Meet with County Procurement, County Attorney, & Public Fiduciary.

Contacted Arizona Department of Health Services.

Contacted Arizona State Board of Funeral Directors and Embalmers.

Meet with Contractor & Reviewed previous Contractual monthly meeting minutes.

Meet with funeral homes representative: Bradbury, Lietz-Fraze, & Diamond & Sons.

02

Public Health Epidemiologist Review of OME Data

The epidemiologist received access to the OME Excel Sheet & Google Sheets.

Excel and Google Sheets were found incompatible for data transfer, resulting in significant errors.

Types of Errors found: duplication, data-entry human error, limited software capacity, active cases.

The epidemiologist was able to account for each case.

03

Follow-up & Compile Report

Emailed Funeral Homes for follow-up, providing an opportunity for further evidence submissions.

(1) Funeral Home Responded: Bradbury Memorial Center.

Bradbury representatives requested full access to OME case records for their funeral home.

Compiled and composed Information into a summary report.



CONTRACT ADMINISTRATOR SUMMARY: In

conjunction with County Procurement and the County Attorney, I found no contractual evidence demonstrating Serenity Memorial Group has not met the Contract's Scope, Terms, and Conditions. The Contractor is promptly responsive and has satisfactorily met contractual obligations.

DIRECTOR OF PUBLIC HEALTH SUMMARY: As

presented by Funeral Homes, I have not found or been presented with physical evidence that confirms the verbal accusations of falsification of data, forgery, unlicensed Forensic Pathologists, mishandling of decedents, decedent mutilation, sale of decedents or body parts, manipulation of the distribution list, misuse of OME property, lying, untrained or unsupervised autopsy technicians & medical investigators, or marketing of a personal funeral business. Deficiencies were identified, but none originated from malpractice.

RESULTS: A list of individual accusations and deficiencies follows.





.....



IDENTIFIED CONFLICT OR DISCREPANCY

CONFLICT OF INTEREST



The Contractor has <u>disclosed</u> they are not a County Employee. No legal conflict was discovered. The Contract scored the Contractor as qualified.



Example: Contracts establish a person or entity to provide specific services. If a county needs services it cannot provide, it will seek a qualified and experienced professional. Some services mean that the contractor works in that same industry and has the appropriate qualifications. It is in the contractor's best interests to meet the contractual requirements because it will reflect on its business and reputation. If a county could not use qualified and experienced contracted providers who work in the same industry, they would have to contract providers with no experience or industry knowledge.

CARE OF BODIES



The Contractor provided a contractually acceptable answer. No NOK or law enforcement is known to have reported discrepancies. OME employees refuted verbal accusations of one (1) former employee & funeral homes. No evidence or case-specific information was provided to investigate accusations of mutilation or improper care of bodies.



CONTRACTOR ANSWER: As per previous conversations held between myself and the County, Forensic Investigators act in dual capacity as Autopsy Technicians in presence of a Licensed Board-Certified Forensic Pathologist. This has been done in the previous administrations before Serenity Memorial Group took over the contract and is posted in our job descriptions. All training is done in house with Dr. Mosley.







IDENTIFIED CONFLICT OR DISCREPANCY

STAFF TREATMENT



The Contractor is independent (#21P04 Section 3) and employees under the Contract are not County employees.



CONTRACTOR ANSWER: Serenity Medical Group understands the importance our employees hold in our company, as they are the backbone of our foundation. They are the ones who have enabled our company to grow to over 80 employees company wide. One person's disgruntled feelings don't speak for the other 80 employees as a whole. (...) We would like to remind the County (...) we are a small business, not a government entity, so the benefits that the County provides are not as feasible for a small business.

REPORTING



Data discrepancies and incongruencies were identified and attributed to human error, software, and external agency reporting. No falsification or malintent was found.



CONTRACTOR ANSWER: The reporting done on our website are the cases that have been assigned a ME number this year. Whether it was an investigation decline, autopsy case, hospital call, or hospice notification, those calls reflect the numbers we provide. This is why our numbers don't just include the investigations (...) Likewise, if a case is pending funeral home release, or we receive hospice death notifications weeks or months later, those cases fluctuate our numbers. We can only provide correct data if data is given to us in a timely manner.







IDENTIFIED CONFLICT OR DISCREPANCY

OME PROPERTY & BADGES



The Contract Administrator has found no evidence of Serenity Memorial Group marketing in the OME and has performed two drop-in visits during regular hours. The Contractor uses their private white Chevy Tahoe vehicle, the same vehicle(s) used by the OME. Beyond an unverified verbal accusation, no evidence was found that demonstrates misuse of badges or property. The Contractor's response to the accusations was appropriate to settle any concerns.

BODY BAGS



The Contractor has identified discrepancies between heavy-weight and light-weight body bags and has petitioned that an appropriate change be made that provides sustainable and fair cost practices.

BODY STORAGE



Considering staff safety and documented sealing of body bags, the Contractor occasionally used Serenity Memorial Group facilities for nightly storage. This practice is not contractually prohibited. The Contractor agreed when asked by the Administrator to store only at the OME.







IDENTIFIED CONFLICT OR DISCREPANCY

FORENSIC PATHOLOGIST



The Contractor has verified that Dr. Mosley is an AZ licensed physician. The Contractor has verified that any contracted Forensic Pathologist meant to cover the 24/7 services is a licensed physician in AZ. All employees of Serenity Medical Group are reported to have completed necessary federal and state employment forms.

STAFF QUALIFICATIONS



The Contractor relayed that Dr. Mosley trains Forensic Investigators under his direct supervision as Autopsy Technicians. Since the Contractor started, the position description for a Forensic Investigator includes Autopsy Technician responsibilities.

FORGERY & FALSIFICATION



The Contract Administrator did not find evidence of prior forgery or falsification of records. Since Dr. Mosley was the previous Contractor, his signature and documents have been used and verified numerous times in court proceedings. No law enforcement, Arizona State Board of Funeral Directors and Embalmers, or Arizona Department of Health Services report forgeries or falsification of vital records.



RECOMMENDATIONS

1

DATA SOFTWARE

Remove Excel and
Google Sheets and
implement a new EMR
designed for Medical
Examiners.

Currently in Progress.

2

DATA SHARING

Provide Funeral Homes a corresponding decedent list if permitted by Arizona Revised Statues.

MCDPH recommends strengthening contractual language for funeral homes to receive data.



3

DISTRIBUTION LIST

Comply with
ARS 11-600
that defines the
distribution list.

MCDPH recommends it working with referring agencies to increase compliance.







RECOMMENDATIONS

4

REPORTING

MCDPH recommends it begin to work with reporting agencies to increase compliance. 5

BOARD OF HEALTH

Include Mohave County
Board of Health to
provide advisory and
review of OME data
and practices.

6

BODY BAGS

Present to the Board of
Health the issues for
the use, cost, and
replacement of heavy
body bags for an
advisory position to the
Board of Supervisors.









THANK YOU

Board of Supervisors Board of Health Department of Public Health County Manager **County Procurement County Attorney County Fiduciary** County PIO MCDPH Epidemiologist **County Sherriff Public Safety Dispatch AzDHS Vital Records AzSBFDE** Serenity Memorial Group Sutton Memorial Funeral Home **Lietz-Fraze Funeral Homes Bradbury Memorial Center** Diamond & Sons Silver Bell Chapel Mohave Memorial







