

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

Operating Budget Data

(\$ in Thousands)

	<u>FY 09</u> <u>Actual</u>	<u>FY 10</u> <u>Working</u>	<u>FY 11</u> <u>Allowance</u>	<u>FY 10-11</u> <u>Change</u>	<u>% Change</u> <u>Prior Year</u>
General Fund	\$9,274	\$9,164	\$10,340	\$1,175	12.8%
Contingent & Back of Bill Reductions	0	0	-201	-201	
Adjusted General Fund	\$9,274	\$9,164	\$10,139	\$975	10.6%
Federal Fund	191	197	201	4	2.0%
Contingent & Back of Bill Reductions	0	0	-9	-9	
Adjusted Federal Fund	\$191	\$197	\$192	-\$5	-2.5%
Reimbursable Fund	109	146	118	-28	-19.1%
Adjusted Reimbursable Fund	\$109	\$146	\$118	-\$28	-19.1%
Adjusted Grand Total	\$9,574	\$9,508	\$10,449	\$942	9.9%

Note: For purposes of illustration, the Department of Legislative Services has estimated the distribution of selected across-the-board budget reductions. The actual allocations are to be developed by the Administration.

- The fiscal 2011 allowance, including Back of the Bill reductions, increases by \$942,000, or 9.9%. General funds increase by \$975,000, or 10.6%.
- The increase is offset by decreases in special and reimbursable funds. Reimbursable funds are available from the Governor's Office of Crime Control and Prevention.

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

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Personnel Data

	<u>FY 09 Actual</u>	<u>FY 10 Working</u>	<u>FY 11 Allowance</u>	<u>FY 10-11 Change</u>
Regular Positions	81.00	81.00	81.00	0.00
Contractual FTEs	<u>5.47</u>	<u>5.35</u>	<u>5.35</u>	<u>0.00</u>
Total Personnel	86.47	86.35	86.35	0.00

Vacancy Data: Regular Positions

Turnover and Necessary Vacancies, Excluding New Positions	2.44	3.01%
Positions and Percentage Vacant as of 12/31/09	7.50	9.26%

- There is no change in the number of regular positions or contractual full-time equivalents in the allowance.
- As of December 31, 2009, there were 7.5 vacant positions. Three of these are forensic investigator positions needed to perform the initial, on-scene death investigation.

Analysis in Brief

Major Trends

Ratio of Cases Per Examiner Declines Slightly in Fiscal 2009: The ratio of cases per medical examiner declined from fiscal 2008 to 2009 to 264. The National Association of Medical Examiners accreditation limit of cases per medical examiner is 325. If the office should exceed this ratio, accreditation status may be in jeopardy.

Recommended Actions

1. Concur with Governor's allowance.

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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.

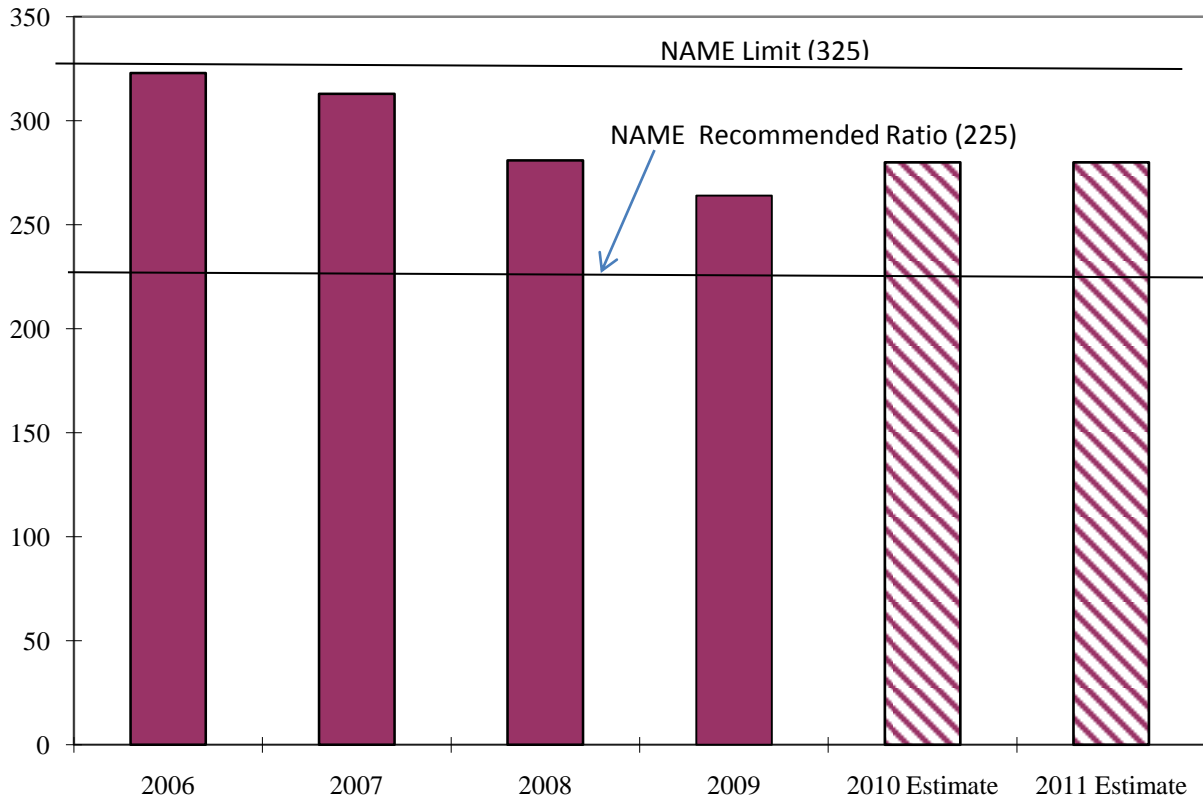
Performance Analysis: Managing for Results

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 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 225 cases per examiner. The number of medical examiners allocated to the office increased from 13.6 to 15.6 between fiscal 2006 and 2008, 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. However, the agency believes the number of cases will increase in fiscal 2010. While the ratio is still below the maximum allowed for NAME accreditation, it is above the NAME recommended limit.

**Exhibit 1
Cases Per Medical Examiner
Fiscal 2006-2011**

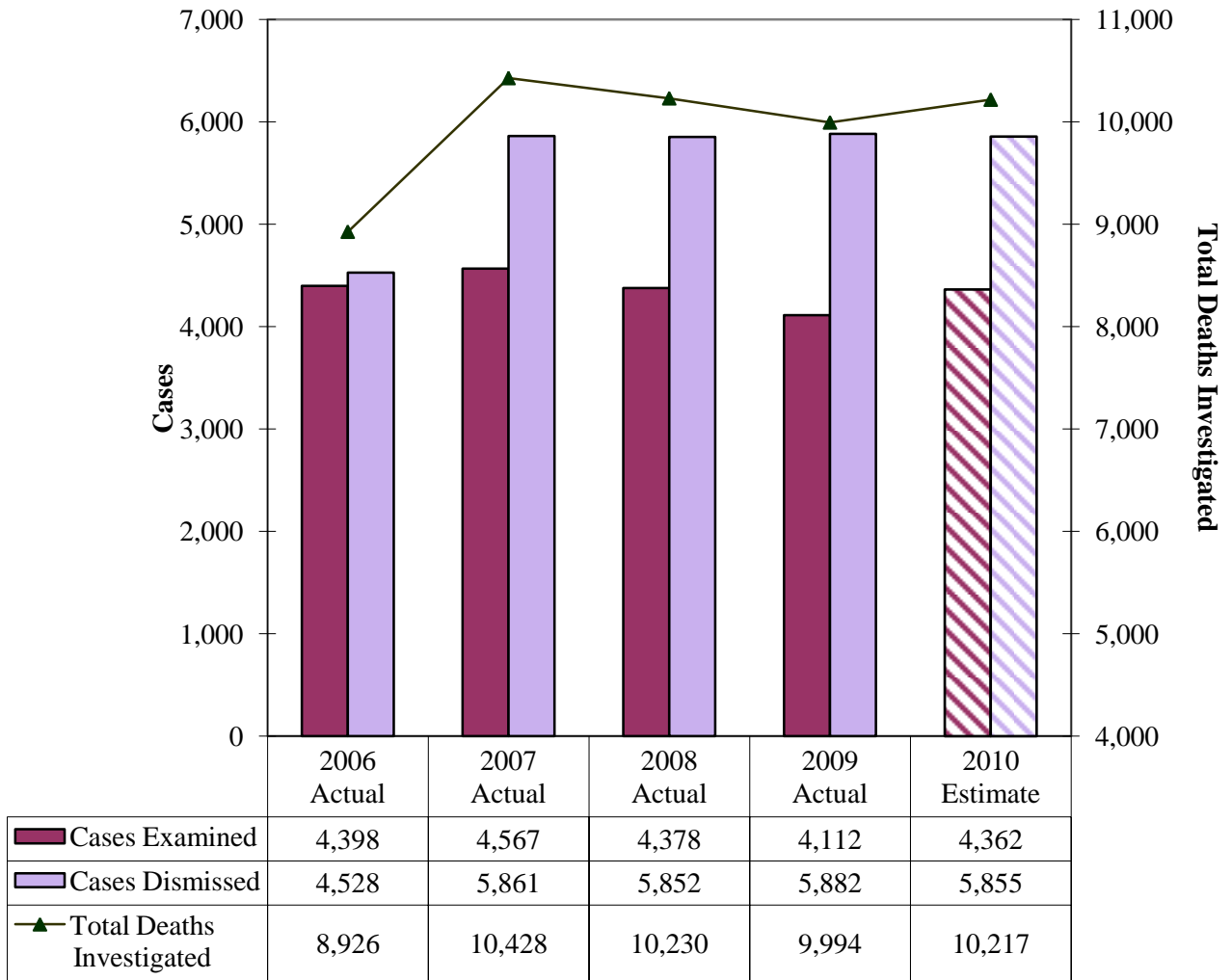


NAME: National Association of Medical Examiner

Source: Department of Health and Mental Hygiene

The number of cases per examiner is expected to increase from fiscal 2009 to 2010 due to an increase in total deaths investigated, as shown in **Exhibit 2**. Fiscal 2009 had an unusually low number of cases presented for investigation. The agency expects the total number of deaths presented for investigation in fiscal 2010 to increase to the fiscal 2008 level. **The agency should explain why the number of cases is expected to increase in fiscal 2010.**

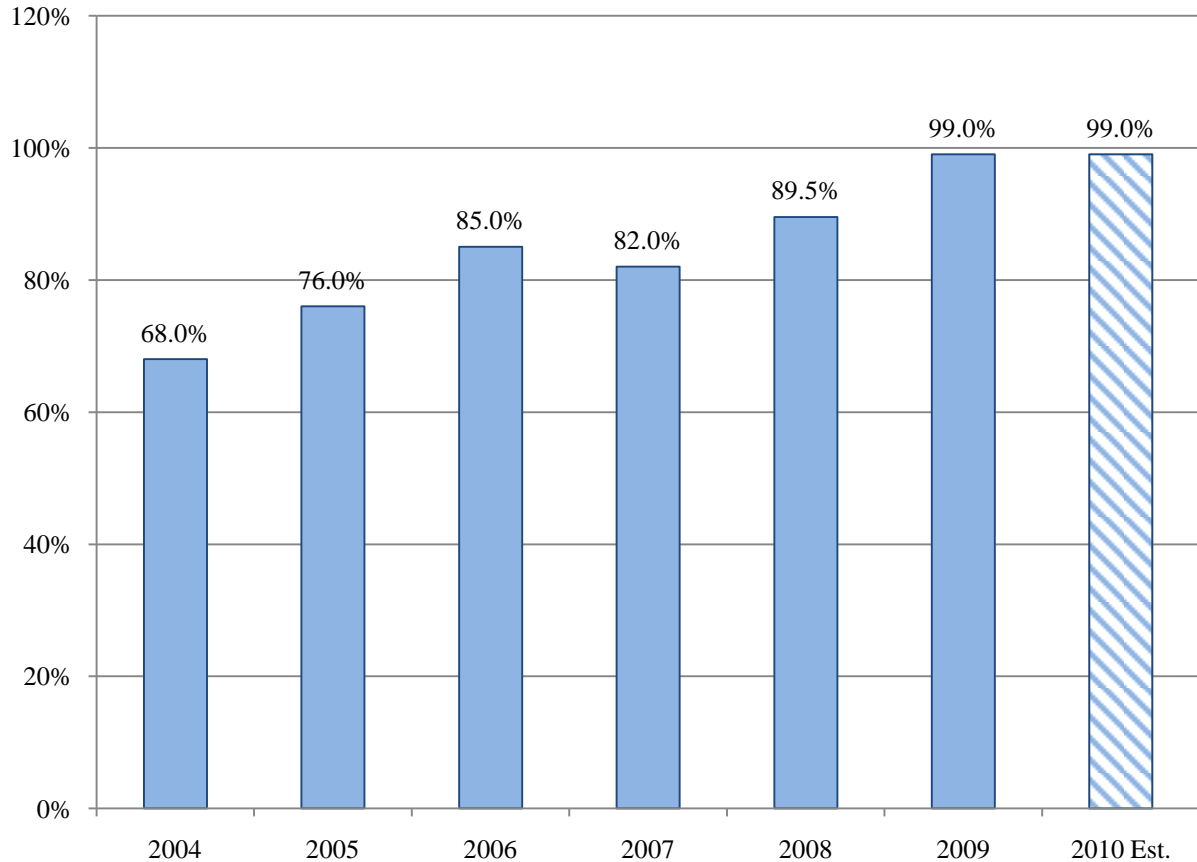
Exhibit 2
Deaths Investigated by the Office of the Chief Medical Examiner
Fiscal 2006-2010



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 the investigation. **Exhibit 3** shows the percent of autopsies completed within 60 days. That number was slowly rising between fiscal 2004 and 2006 to a high of 85% but dipped slightly in fiscal 2007 to 82%. The addition of a new office secretary position in fiscal 2008 helped the agency to approach its goal of 90% of cases completed within 60 days. In fiscal 2009, the agency exceeded this goal by completing 99% of cases within 60 days.

Exhibit 3
Percent of Autopsies Reported within 60 Days
Fiscal 2004-2010



Source: Department of Health and Mental Hygiene

Fiscal 2010 Actions

Impact of Cost Containment

Cost containment actions taken by the Board of Public Works (BPW) reduced the fiscal 2010 working appropriation by \$0.2 million. The agency participated in the statewide furlough plan; however, forensic investigators, medical examiners, autopsy assistants, and toxicologists were all exempted from the fiscal 2010 furlough. The Office of the Chief Medical Examiner was reduced by \$25,000 for across-the-board reductions to operating expenses taken by the department.

Proposed Budget

As shown in **Exhibit 4**, the fiscal 2011 allowance increases \$942,000 from the fiscal 2010 working appropriation. General funds constitute the majority of this increase, increasing by \$975,000. This increase is offset by reductions in federal and reimbursable funding, \$5,000 and \$28,000, respectively.

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

How Much It Grows:	General Fund	Federal Fund	Reimb. Fund	Total
2010 Working Appropriation	\$9,164	\$197	\$146	\$9,508
2011 Allowance	<u>10,340</u>	<u>201</u>	<u>118</u>	<u>10,659</u>
Amount Change	\$1,175	\$4	-\$28	\$1,151
Percent Change	12.8%	2.0%	-19.1%	12.1%
 Contingent Reductions	 -\$201	 -\$9	 \$0	 -\$210
Adjusted Change	\$975	-\$5	-\$28	\$942
Adjusted Percent Change	10.6%	-2.5%	-19.1%	9.9%

Where It Goes:

Personnel Expenses

Workers ' compensation premium assessment including Sections 21 and 23.....	\$108
Employees retirement	106
Salary adjustments including Section 18	80
Employee and retiree health insurance including Section 19.....	57
Turnover adjustments.....	-7
Overtime earnings	-40
Other fringe benefit adjustments.....	13

Other Changes

Electricity for additional space in new building.....	289
Additional office equipment	258
Additional parking and move to new building.....	123
Other adjustments	-45

Total **\$942**

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

Impact of Cost Containment

The fiscal 2011 budget reflects several across-the-board actions to be allocated by the Administration. This includes a combination of employee furloughs and government shut-down days similar to the plan adopted in fiscal 2010; a reduction in overtime based on accident leave management; streamlining of State operations; hiring freeze and attrition savings; a change in the injured workers' settlement policy and administrative costs; and a savings in health insurance to reflect a balance in that account. For purposes of illustration, the Department of Legislative Services has estimated the distribution of selected actions relating to employee furloughs, health insurance, and the Injured Workers' Insurance Fund cost savings.

Personnel

Personnel expenses increase by \$316,931 in fiscal 2011 after accounting for reductions to health insurance, workers' compensation, and salaries. The largest increase includes \$107,541 for workers' compensation. Other increases include the employee retirement system (\$107,541) and the employee and retiree health insurance (\$56,831) due to higher rates for all State agencies. Salary spending increases by approximately \$80,000 after accounting for the fiscal 2011 furlough due to three vacant regular positions filled at higher levels. Two forensic investigator positions were filled as resident forensic pathologists, and 1 assistant medical examiner position was filled at a higher step.

New Building Driving Fiscal 2011 Budget Increases

The major factor behind budget increases in fiscal 2011 is the opening of the new medical laboratory at the University of Baltimore Biopark. The facility that OCME currently occupies violates NAME standards for adequate workspace. Between fiscal 2008 and 2010, the State invested over \$55 million to construct a new facility that would better suit the workload of the agency and bring the agency up to accreditation standards.

The new building, which will be complete in June 2010, is 120,000 square feet, roughly three times larger than the current facility. The fiscal 2011 allowance includes an increase of \$288,657 for electricity expenses as estimated by the contractor of the new facility. Also included is an additional \$258,196 for office equipment and \$122,783 for the physical move and an increase parking expenses for employees.

Recommended Actions

1. Concur with Governor's allowance.

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 2009					
Legislative Appropriation	\$9,155	\$0	\$194	\$112	\$9,461
Deficiency Appropriation	0	0	0	0	0
Budget Amendments	302	0	0	0	302
Cost Containment	-183	0	0	0	-183
Reversions and Cancellations	0	0	-3	-3	-6
Actual Expenditures	\$9,274	\$0	\$191	\$109	\$9,574
Fiscal 2010					
Legislative Appropriation	\$9,382	\$0	\$197	\$146	\$9,725
Cost Containment	-218	0	0	0	-218
Budget Amendments	0	0	0	0	0
Working Appropriation	\$9,164	\$0	\$197	\$146	\$9,507

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

Fiscal 2009

In fiscal 2009, the budget for the Office of the Chief Medical Examiner closed at \$9.6 million, an increase of \$0.1 million over the original fiscal 2009 legislative appropriation, primarily due to an increase in general funds.

Budget amendments increased the budget by \$0.3 million in fiscal 2009. The increases included funds needed to cover the cost of overtime at OCME (\$195,875), a cost-of-living adjustment (\$112,271), and an annual salary review adjustment for laboratory scientists (\$43,374). One amendment decreased the general fund appropriation to redistribute funds for health insurance to other agencies within the Department of Health and Mental Hygiene (-\$11,258).

BPW also took action to reduce the budget in fiscal 2009 by \$0.2 million in general funds and \$439 in federal funds. In June 2008, BPW actions resulted in a reduction for personnel expenses (\$40,577 in general funds and \$439 in federal funds). In October 2008, funds were further reduced for personnel and motor vehicle expenses (\$142,465 in general funds). In March 2009, employee furloughs were established resulting in reduced funds for personnel expenses (\$38,282).

Finally, approximately \$3,000 of the federal fund appropriation and \$2,500 of the reimbursable fund appropriation was cancelled at the end of the fiscal year.

Fiscal 2010

BPW action in August 2009 resulted in another round of furloughs for State employees. This action reduced the fiscal 2010 working appropriation by \$0.2 million.

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

<u>Object/Fund</u>	<u>FY09 Actual</u>	<u>FY10 Working Appropriation</u>	<u>FY11 Allowance</u>	<u>FY10 - FY11 Amount Change</u>	<u>Percent Change</u>
Positions					
01 Regular	81.00	81.00	81.00	0	0%
02 Contractual	5.47	5.35	5.35	0	0%
Total Positions	86.47	86.35	86.35	0	0%
Objects					
01 Salaries and Wages	\$ 7,151,370	\$ 6,945,458	\$ 7,471,983	\$ 526,525	7.6%
02 Technical and Spec. Fees	516,837	558,572	514,029	-44,543	-8.0%
03 Communication	60,284	60,107	61,064	957	1.6%
04 Travel	5,824	3,773	4,365	592	15.7%
06 Fuel and Utilities	305,415	395,241	642,513	247,272	62.6%
07 Motor Vehicles	8,874	15,244	14,851	-393	-2.6%
08 Contractual Services	831,241	887,368	965,719	78,351	8.8%
09 Supplies and Materials	592,085	529,788	567,225	37,437	7.1%
10 Equipment – Replacement	87,049	99,420	145,110	45,690	46.0%
11 Equipment – Additional	0	0	258,196	258,196	N/A
13 Fixed Charges	14,751	12,807	14,011	1,204	9.4%
Total Objects	\$ 9,573,730	\$ 9,507,778	\$ 10,659,066	\$ 1,151,288	12.1%
Funds					
01 General Fund	\$ 9,273,559	\$ 9,164,211	\$ 10,339,508	\$ 1,175,297	12.8%
05 Federal Fund	190,764	197,251	201,240	3,989	2.0%
09 Reimbursable Fund	109,407	146,316	118,318	-27,998	-19.1%
Total Funds	\$ 9,573,730	\$ 9,507,778	\$ 10,659,066	\$ 1,151,288	12.1%

Note: The fiscal 2010 appropriation does not include deficiencies.