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## Hearing on the Fiscal Year 2013 Executive Budget

Office of the Chief Medical Examiner

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**Latonia McKinney, Deputy Director**  
**Pamela Corbett, Legislative Financial Analyst**



# Table of Contents

Office Overview..... 1  
    Office of Chief Medical Examiner Financial Summary ..... 1  
Financial Summary Analysis..... 2  
    Executive Budget Highlights ..... 2  
    Recent Changes in OCME Funding..... 2  
Fiscal 2013 Budget Highlights ..... 3  
    Full Restoration to OCME’s PEG to Attritted and Vacancy Reductions ..... 3  
Fiscal 2013 Capital Budget Priorities ..... 4



## Office Overview

The Office of Chief Medical Examiner (OCME) is responsible for investigating deaths resulting from criminal violence, accident or suicide; that occur suddenly, when in apparent good health; when unattended by a physician; in custody; or occurring in any suspicious or unusual manner. The Office also investigates deaths where an application for cremation is made. The Office provides additional forensic services, including DNA testing, to support criminal investigations. The Office also manages all functions of the City mortuary, including the retrieval and processing of deceased bodies; assistance with autopsies; and body preparation for City burial. Structurally, the OCME is housed within the Department of Health and Mental Hygiene (DOHMH).

This report presents an analysis of the Office's Fiscal 2013 operating budget as proposed in the Executive Budget, including details of changes to the OCME's budget since the release of the Mayor's Preliminary Budget. Adjustments to the Fiscal 2013 Budget proposed in either the November 2011 Financial Plan or the Fiscal 2013 Budget Preliminary were reviewed in the March 24th Hearing Report to the Committee on Health.

### Office of Chief Medical Examiner Financial Summary

*Dollars in Thousands*

	2011 Actual	2012 Adopted	2012 Exec. Plan	2013 Exec. Plan	*Difference 2012 - 2013
<b>Spending</b>					
<b>Personal Services Subtotal</b>	<b>\$44,990</b>	<b>\$42,893</b>	<b>\$45,022</b>	<b>\$42,663</b>	<b>(\$231)</b>
Full-Time Salaried - Civilian	40,983	39,959	40,623	39,388	(571)
Overtime - Civilian	1,905	841	2,441	1,794	953
Fringe Benefits	37	15	16	16	1
Other	(2,067)	(2,078)	(1,942)	(1,464)	614
<b>Other Than Personal Services Subtotal</b>	<b>\$17,587</b>	<b>\$17,958</b>	<b>\$22,653</b>	<b>\$19,395</b>	<b>\$1,437</b>
Contractual Services	4,222	5,705	6,757	3,670	(2,034)
Other	13,365	12,253	15,896	15,724	3,471
<b>TOTAL</b>	<b>\$62,577</b>	<b>\$60,851</b>	<b>\$67,674</b>	<b>\$62,057</b>	<b>\$1,206</b>
<b>Funding</b>					
City Funds	N/A	\$58,313	\$57,330	\$57,660	(\$653)
Federal – CD	N/A	0	0	0	0
Federal- Other	N/A	2,536	8,370	4,392	1,857
Intra City	N/A	0	127	0	0
Other Categorical	N/A	0	65	0	0
State	N/A	3	1,783	5	2
<b>TOTAL</b>	<b>\$62,577</b>	<b>\$60,851</b>	<b>\$67,674</b>	<b>\$62,057</b>	<b>\$1,206</b>
<b>Headcount (full-time salaried, civilian)</b>	<b>604</b>	<b>653</b>	<b>643</b>	<b>618</b>	<b>(35)</b>

*\*The difference of Fiscal 2012 Adopted compared to Fiscal 2013 Executive Plan Funding.*

## Financial Summary Analysis

### Executive Budget Highlights

The Fiscal 2013 OCME Executive Budget shows a \$1.2 million boost when compared to the budget at adoption. There is a slight reduction in City tax-levy (CTL) contributions, mostly stemming from the medical examiner's Fiscal 2013 \$4 million PEG program. However, the total value of the original PEG program has since been vastly diminished thanks to a full \$2.5 million Fiscal 2013 Executive Budget restoration to OCME's vacant and attrited positions. The OCME's ongoing efforts to generate additional outside revenue has enabled it to completely offset this loss in City funds while also modestly growing its budget.

Within the larger context of the DOHMH budget, OCME funding comprises 4 percent of the \$1.53 billion DOHMH Fiscal 2013 Executive Budget. The medical examiner's full-time staff of 618 budgeted positions represents a little over 13 percent of the DOHMH's total Fiscal 2013 proposed headcount, but accounts for 20 percent of all recommended DOHMH headcount reductions. In Fiscal 2013, the medical examiner will shed 35 full-time positions, 18 of which were previously unfunded.

### Recent Changes in OCME Funding

Starting in April 2011, the State discontinued its matching grant to localities for administering "optional" public health services, including medical examiner services, which would have resulted in a \$15 million loss in State funding per year to the OCME. The OCME would have lost a third of its overall budget. Recognizing the detrimental impact this loss would have had on OCME operations – definite, substantial increases in turnaround time for most services – the Fiscal 2012 Executive Budget offset this loss in State funding and preserved these vital services by adding \$15 million in City tax-levy to the OCME program budget. Despite this necessary infusion of additional City funding, the Administration still applied a PEG target to the OCME, effectively reducing the City's net contribution toward supporting OCME services.

Over the past few years, the OCME has sought to diversify its funding portfolio and better protect itself against future cuts in City and State funding by aggressively pursuing federal grants and other outside funding opportunities. These efforts, briefly illustrated in the chart on the previous page, have already begun to play a crucial role in helping the OCME to maintain its headcount while it still attempts to meet its PEG targets. In fact, in the most recent PEG program (as described in Fiscal 2013 Preliminary Budget Report), the OCME has proposed to shift several of its City-funded positions to grant funding, endeavoring to maintain staff while still trying to remain within City spending targets.

## Fiscal 2013 Budget Highlights

### Full Restoration to OCME's PEG to Attrited and Vacancy Reductions

The Fiscal 2013 Executive Budget fully restores the 2011 November Plan PEG to the OCME's budgeted vacant and attrited headcount. This \$2.5 million restoration will enable the OCME to hire up to 30 new staff. Current staffing plans include:

- Hiring 4 additional medico-legal investigators (death scene responders) to increase death scene response time.
- Hiring at least 23 new criminalists – staff dedicated to DNA testing.
  - Since January 2012, the OCME has already hired 8 new criminalists.
  - These new hires were made possible once the Mayor's Office of Management and Budget (OMB) lifted its hiring freeze on the medical examiner following the Council's Fiscal 2012 midyear restoration to this PEG.
- Additionally, the Council's midyear restoration helped to eliminate the OCME's emerging testing backlog by supporting a marked increase overtime costs.
- With the Fiscal 2013 Executive Budget restoration, the OCME can now move forward with hiring the 19 remaining staff and has already begun posting the job announcements.
- NOTE: Originally there were 48 positions associated with this PEG, however, 18 of those positions were unfunded and have since been eliminated.
- The Fiscal 2013 PEG restoration is critical to maintaining the medical examiner's core operations. In the absence of funding for these 30 positions, the OCME would have been forced to scale back its DNA testing responsibilities, including:
  - Eliminating automatic submissions for certain crime categories (e.g., sexual assault kit, felony assault kit); and
  - Eliminating DNA testing on misdemeanor crimes and vehicle theft.

## **Fiscal 2013 Capital Budget Priorities**

Equipment in OCME's Forensic Biology (DNA) and Toxicology laboratories will be reach its end of life over the next five years, requiring a major capital investment. New generation DNA and Toxicology equipment will keep OCME at the forefront of forensic science. This forensic work will continue to benefit the criminal justice community in its partnership with law enforcement and the District Attorneys.