

THE COUNCIL OF THE CITY OF NEW YORK

Hon. Corey Johnson
Speaker of the Council

Hon. Mark Levine
Chair, Committee on Committee on Health



Report of the Finance Division on the
Fiscal 2019 Preliminary Plan, the Fiscal 2019 Capital Commitment Plan and the
Fiscal 2019 Preliminary Mayor's Management Report for the

Office of the Chief Medical Examiner

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Office of the Chief Medical Examiner Overview

Falling under the Department of Health and Mental Hygiene (DOHMH), the New York City Office of the Chief Medical Examiner (OCME or the Office) conducts independent investigations using advanced forensic science in the service of families, communities, and the criminal justice system. The Office's work provides answers for those affected by sudden and traumatic loss and helps to protect public health. OCME experts investigate approximately 8,500 deaths per year in New York City and test tens of thousands of items of evidence in the OCME laboratories. These results inform legal proceedings, shape public health policy, and help families settle their affairs.

With more than 700 employees working throughout the five boroughs, OCME constitutes the largest medical examiner's office in the United States and operates the only molecular genetics laboratory housed in a medical examiner's office in the country. The Office's DNA crime laboratory remains the largest such public laboratory in the world, testing physical evidence from criminal cases in the City. OCME also maintains a specialized mass fatality management team that regularly shares its expertise in responding to disasters with other jurisdictions.

The Office maintains jurisdiction over the Repository at the World Trade Center Memorial. The Repository lies within the structure of the National September 11 Memorial complex and is accessed, operated, and maintained solely by OCME. Under the professional auspices of the Office, the Repository provides a dignified and reverential setting for victim remains to repose, temporarily or in perpetuity, as the identification work continues.

Regarding the authority and responsibilities of the Office, OCME investigates all deaths of persons in NYC occurring from criminal violence, by accident, by suicide, suddenly when in apparent health, or in any unusual or suspicious manner. OCME also reviews all applications for a permit to cremate the body of any person who dies in NYC. In addition, OCME serves as the mortuary for the City, with a legal mandate to take custody of all unidentified and unclaimed remains in the five boroughs.

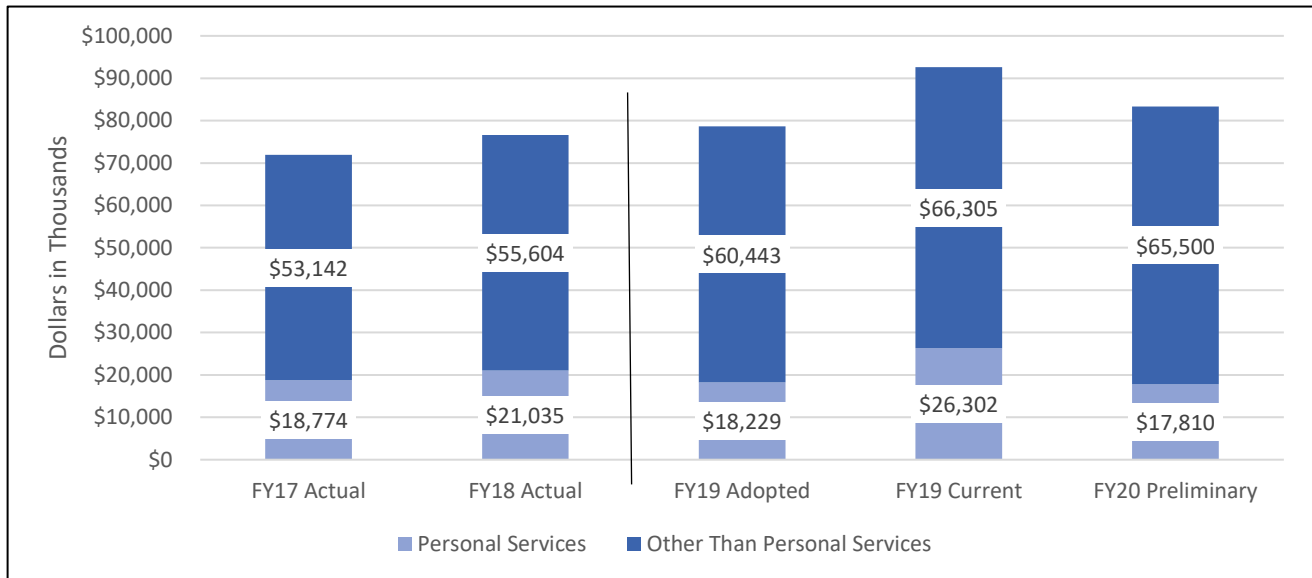
Report Structure

This report reviews the Office of the Chief Medical Examiner's \$83.3 million Fiscal 2020 Preliminary Plan. The report provides a financial summary, followed by highlights of the Fiscal 2020 Preliminary Budget and the Fiscal 2019 Preliminary Mayor's Management Report, and an analysis of OCME capital projects in DOHMH's Preliminary Commitment Plan for Fiscal 2019- 2023, as well review of the Preliminary Ten-Year Capital Strategy Fiscal 2020-2029 for OCME.

Fiscal 2020 Preliminary Budget Highlights

OCME Fiscal 2020 Preliminary Budget totals \$83.3 million, including \$17.8 million for personal services (PS) to support 741 full time employees and \$65.5 million for Other Than Personal Services (OTPS).

Figure 1: Agency Budget Overview: PS vs. OTPS



Highlights of OCME’s Fiscal 2020 Preliminary Plan

- **New Needs.** Since the 2018 November Plan, the Department of OCME has identified \$123,000 in new needs for Fiscal 2019 for Serology Testing and \$370,000 in Fiscal 2020 and in the outyears.
- **Overtime Savings.** The Department of OCME will generate budget savings of \$127,000 in Fiscal 2020 and \$127,000 in Fiscal 2021 as part of the Citywide Savings Program by hiring two full-time stationary engineers to reduce overtime.
- **Preliminary Mayor’s Management Report (PMMR) Highlights.** Notable performance metrics reported by the Department of OCME in the 2019 PMMR include the following.
 - ✓ Processes necessary to certify deaths falling within the agency’s jurisdiction;
 - ✓ Mortuary services to the City;
 - ✓ Response to disasters and emergencies when fatalities are involved; and
 - ✓ Services to the City for forensic purposes.

Financial Plan Summary

Table 1: OCME Financial Summary						
<i>Dollars in Thousands</i>						
	FY17	FY18	FY19	Preliminary Plan		*Difference
	Actual	Actual	Adopted	FY19	FY20	FY19-FY20
Spending						
Personal Services						
Full-Time Salaried - Civilian	\$44,451	\$46,725	\$55,715	\$60,022	\$61,321	\$5,606
Other Salaried/Unsalariad	163	197	98	101	104	6
Additional Gross Pay	2,763	2,550	1,447	1,470	1,447	0
Overtime - Civilian	5,497	5,844	2,851	2,846	2,467	(384)
Fringe Benefits	267	287	331	1,865	160	(1701)
Subtotal	\$53,142	\$55,604	\$60,443	\$66,305	\$65,500	\$5,057
Other Than Personal Services						
Supplies and Materials	\$4,691	\$5,852	\$6,208	\$8,216	\$5,704	(\$504)
Fixed and Misc Charges	41	41	8	9	8	0
Property and Equipment	775	925	720	1,756	409	(311)
Other Services and Charges	7,260	7,640	6,509	6,912	6,499	(10)
Contractual Services	6,007	6,577	4,784	9,408	5,190	406
Subtotal	\$18,774	\$21,034	\$18,229	\$26,302	\$17,810	(\$419)
TOTAL	\$71,916	\$76,638	\$78,672	\$92,607	\$83,310	\$4,638
Funding						
City Funds			\$76,771	\$80,714	\$82,985	\$6,214
Other Categorical			0	339	\$0	0
State			992	5,126	\$0	(992)
Federal - Other			909	6,158	\$325	(584)
Intra City			0	271	\$0	0
TOTAL	\$71,916	\$76,638	\$78,672	\$92,607	\$83,310	\$4,638
Budgeted Headcount						
Full-Time Positions - Civilian	590	637	733	758	741	8
TOTAL	590	637	733	758	741	8

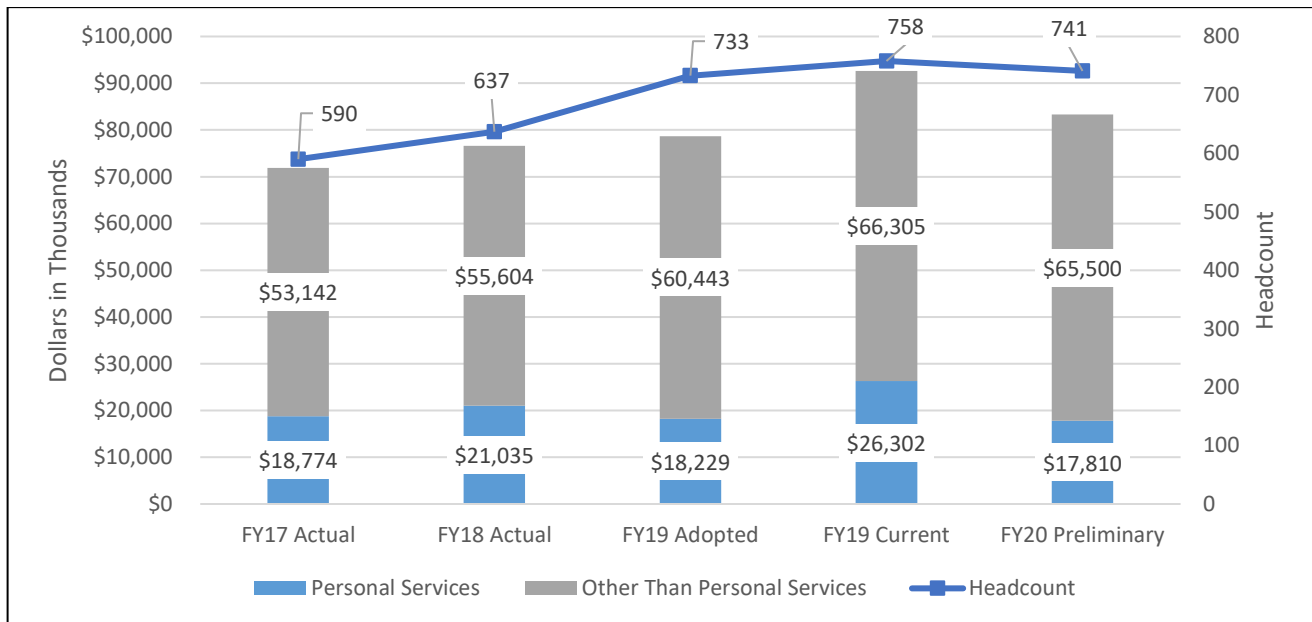
**The difference of Fiscal 2019 Adopted Budget compared to Fiscal 2020 Preliminary Budget.*

The Office of Chief Medical Examiner funding falls under the Department of Health and Mental Hygiene (DOHMH or the Department) budget. DOHMH's Fiscal 2020 Budget totals \$1.7 billion. The Office of the Chief Medical Examiner's Fiscal 2020 Preliminary Budget is \$83.3 million, which is \$4.6 million, or nearly six percent more than the Fiscal 2019 Adopted Budget of \$78.7 million. OCME is five percent of the total DOHMH budget.

Headcount

The Office’s Fiscal 2020 Preliminary Budget provides for 741 full-time positions across its 32 divisions. As of January 2019, the Office was operating with a 12 percent staff vacancy rate. The Forensic Biology Division is the largest with 226 budgeted positions which comprise 30 percent of the Department’s entire staff. Since Fiscal 2017, OCME’s budgeted headcount has grown by 168 positions; for Fiscal 2020 it drops slightly to 741 positions. Almost all of this growth is associated with changes introduced in prior Financial Plans.

Figure 2: OCME Spending and Headcount



The Preliminary Plan adjusts the Office’s budgeted headcount by just eight positions. OCME increased its Fiscal 2020 headcount to work to end the backlog of tests waiting to be assessed. In addition, two full-time positions were added in order to reduce the cost of overtime. The increase in the Department’s Fiscal 2020 and current Fiscal 2019 headcount are outlined below.

Seven new positions funded by the 2018 Urban Areas Security Initiative Program; Five new positions in the Office of the Director; Three new positions for the Forensic Biology laboratory; One new positions Medical Legal investigation program; Two new positions in the Facilities program; Four fewer positions funded by the 2017 Homeland Security Grant (UASI) positions; and Five fewer positions in the Forensic Pathology.

Table 2: OCME Headcount Changes

Program/Action	Headcount Changes
2018 Urban Areas Security Initiative (UASI)	7
Office of the Director	5
Forensic Biology	3
Facilities	2
Medical Legal Investigations	1
Financial Plan Savings	(1)
2017 Homeland Security Grant (UASI)	(4)
Forensic Pathology	(5)
Net Changes	8

New Needs

The Office's Fiscal 2020 Preliminary Plan includes new expense funding totaling \$122,639 in Fiscal 2019 and \$370,000 in Fiscal 2020 and in the outyears for serology testing. Serologic testing aids district attorneys and litigators in criminal investigations. The tests analyze bodily fluids and assist in providing more evidence.

Fiscal 2019 Preliminary Mayor's Management Report

The Preliminary Mayor's Management Report (PMMR) for Fiscal 2019 evaluates the ability of the Office to (1) perform the processes necessary to certify deaths falling within the agency's jurisdiction; (2) provide mortuary services to the City; (3) respond to disasters and emergencies when fatalities are involved; and (4) provide services to the city for forensic purposes. In this section key indicators from each goal will be discussed.

The Forensic Biology Laboratory

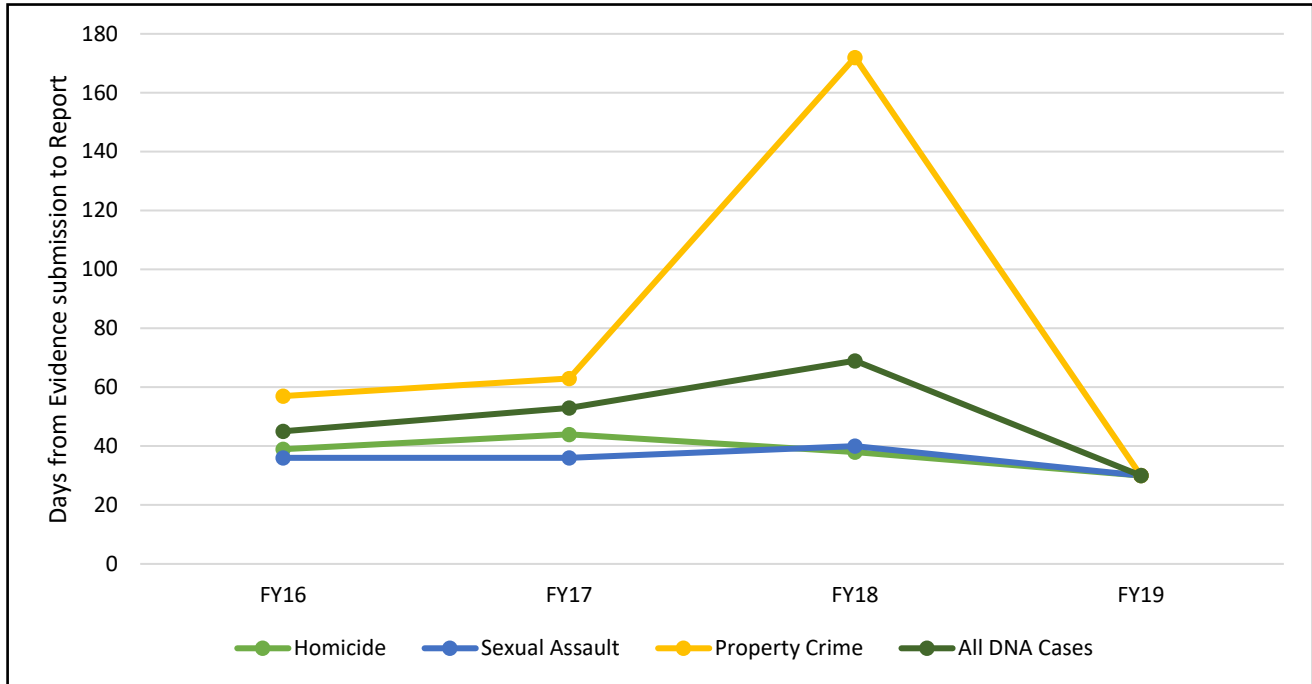
The Office, tasked with providing services to the City for forensic purposes, strives to provide timely and accurate laboratory services for criminal justice purposes. OCME's Department of Forensic Biology operates the largest public DNA crime laboratory in the world, with more than 160 forensic DNA scientists. The Forensic Biology Laboratory performs serology and DNA testing on physical evidence from criminal cases within NYC. It tests approximately 40,000 items of evidence each year from nearly every category of crime, including homicide, sexual assault, felony assault, robbery, burglary, hate crimes, and weapons possession. The Laboratory also performs testing associated with missing persons, unidentified remains, and the ongoing effort to identify World Trade Center victims.

The median time to complete analysis of a DNA case increased to 69 days in Fiscal 2018, an increase of 16 days when compared to Fiscal 2016. In the first four months of Fiscal 2019, the Laboratory decreased the number of days from 66 to 49. The decrease is due to the significant drop in completion time of homicide and sexual assault cases at 30 and 27, respectfully. However, property crimes increased by about 16 percent, which OCME reports is due to prioritizing crimes against persons over property crimes.

Performance Indicators	Actual			Target		4-Month Actual	
	FY16	FY17	FY18	FY19	FY20	FY18	FY19
Median days to complete analysis of a DNA case	45	53	69	30	30	66	49
Median time to complete DNA homicide cases, from evidence submission to report (days)	39	44	38	30	30	39	30
Median time to complete DNA sexual assault cases, from evidence submission to report (days)	36	36	40	30	30	41	27
Median time to complete DNA property crime cases, from evidence submission to report (days)	57	63	172	30	30	164	196
DNA matches with profiles in database	7758	8719	8766			2919	3525
Median time to complete toxicology cases (days)	56	22	20	30	30	18	28

The chart below shows the median time to complete DNA cases from Fiscal 2016 to Fiscal 2018 actuals compared to the Fiscal 2019 target, measured in days from evidence submission to report – as stated in the PMMR for Fiscal 2019. For all categories of cases the PMMR has the same target of 30 days.

Figure 4: Median Time to Complete DNA Cases



The Forensic Toxicology Laboratory

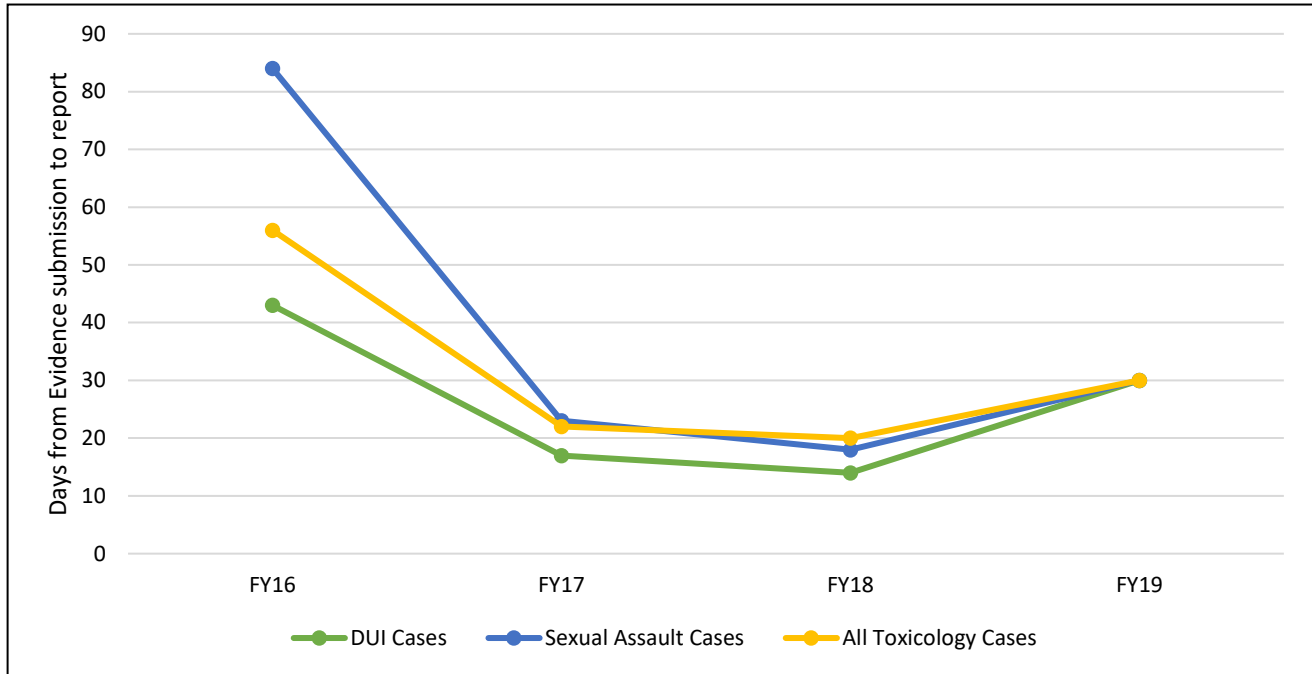
The OCME Forensic Toxicology Laboratory tests biological samples for illicit drugs and intoxicants and for therapeutic drugs. According to the PMMR, over the past two years, the Laboratory has eliminated a backlog of more than 800 cases. OCME reports that the Laboratory completes more than 98 percent of all toxicology cases within 30 days or less, twice as fast as the national standard.

In the first four months of Fiscal 2019, the toxicology case completion times increased. This increase was a part of a planned increase to accommodate the increase of opioid testing offered to include the screening and confirmation of additional medications. There will be continued monitoring of this increase, as OCME continues to expand to include additional testing for “designer drugs.” The median time to complete toxicology cases in the first four months was 28 days. Specifically, in the Fiscal 2019 four-month actual report, the Laboratory reported 17 days as the median time to complete toxicology DUI cases and 21 days as the median time to complete toxicology sexual assault cases.

Performance Indicators	Actual			Target		4-Month Actual	
	FY16	FY17	FY18	FY19	FY20	FY18	FY19
Median time to complete toxicology DUI (driving under the influence) cases (days)	43	17	14	30	30	16	17
Median time to complete toxicology sexual assault cases (days)	84	23	18	30	30	17	21
Median time to complete toxicology cases (days)	56	22	20	30	30	18	28

The below chart shows the median time to complete toxicology from Fiscal 2016 to Fiscal 2018 actuals compared to the Fiscal 2019 target, measured in days from evidence submission to report – as stated in the PMMR for Fiscal 2019. For all categories of cases the PMMR has the same target of 30 days.

Figure 5: Median Time to Complete Toxicology Cases



Death and Autopsy

In order to perform the process necessary to certify deaths falling within the agency’s jurisdiction, the Office strives to (1) respond promptly to scenes of reportable fatalities and conduct related investigations; (2) perform autopsies and examinations necessary to issue timely death certificates; (3) provide diligent investigation for all cremation requests; and (4) certify death certificates in a timely manner.

During the first four months of Fiscal 2019, OCME was slightly above its Fiscal 2019 target median time for scene arrivals by medicolegal investigators with a median time of 1.8 hours. OCME met its median time to complete autopsy reports during the reporting period. During the first four months of Fiscal 2019, the Office reported 52 days as the median time to complete autopsy reports, an increase of 11 days, or 27 percent, when compared to the same period last year. OCME reports this increase is due to an increased turnaround time for toxicology reports, which are relied upon by Medical Examiners to complete autopsy reports. Though the median days rose, the median remains well within the 60 day target.

The total number of cremation requests received and investigated increased to 5,543, an increase of 215 requests when compared to the same period last year. There is a direct correlation between the rising requests and the increase in headcount. However, there were 49 requests that were rejected. The median time to certify death certificates decreased to 16.5 hours in the first four months of Fiscal 2019 by .4 hours, which is well below the target of 72 hours.

Performance Indicators	Actual			Target		4-Month Actual	
	FY16	FY17	FY18	FY19	FY20	FY18	FY19
Median time for scene arrivals by medicolegal investigators (MLIs) (hours)	2.4	1.9	1.8	1.7	1.7	1.7	1.8
Median time to complete autopsy reports (days)	69.0	57.0	45.0	60.0	60.0	41.0	52.0
Deaths reported	27,674	28,940	30,213	*	*	9,471	9,983
Cases where Chief Medical Examiner takes jurisdiction	7,375	7,704	7,632	*	*	2,468	2,587
Total cremation requests received and investigated as requirement of processing	15,719	16,525	17,252	*	*	5,328	5,543
Cremation requests rejected after investigation and turned over to Medical Examiner jurisdiction	63	84	91	*	*	27	49
Median time to certify death certificates after initial receipt of decedents' remains	19.7	15.8	16.6	72.0	72.0	16.9	16.5

Mortuary Services

The Office, tasked with providing mortuary services to the City, strives to recover and transport decedents to the City mortuary facilities in a timely manner. In the first four months of Fiscal 2019, the median time for OCME to reach "Ready to Release" status decreased to 11.96 hours. The Office reported a median time of 36 minutes to clear and release to a third party for final disposition, which is an increase of two minutes, when compared to the same period of time last year.

Performance Indicators	Actual			Target		4-Month Actual	
	FY16	FY17	FY18	FY19	FY20	FY18	FY19
Number of decedents' remains transported and stored by OCME	10,108	10,330	11,255	*	*	3,533	3,796
Median time from OCME receipt of descents' remains to "Ready to Release" status (hours)	14.38	12.91	11.82			12.57	11.96
Median time to clear and release to third party for final disposition, per case (minutes)	33.0	34.0	35.0	*	*	34.0	36

Identification

The Office responds to disasters and emergencies when fatalities are involved, providing rapid response and safe fatality management services to the City, as well as identifying victims of disasters and returning their remains to families in a timely manner.

OCME's Department of Forensic Biology continues its work on remains of victims of the September 11, 2001 terrorist attack. OCME reports that, during the first four months of Fiscal 2019, the Office has identified 14,467 remains recovered from a disaster or mass fatality event.

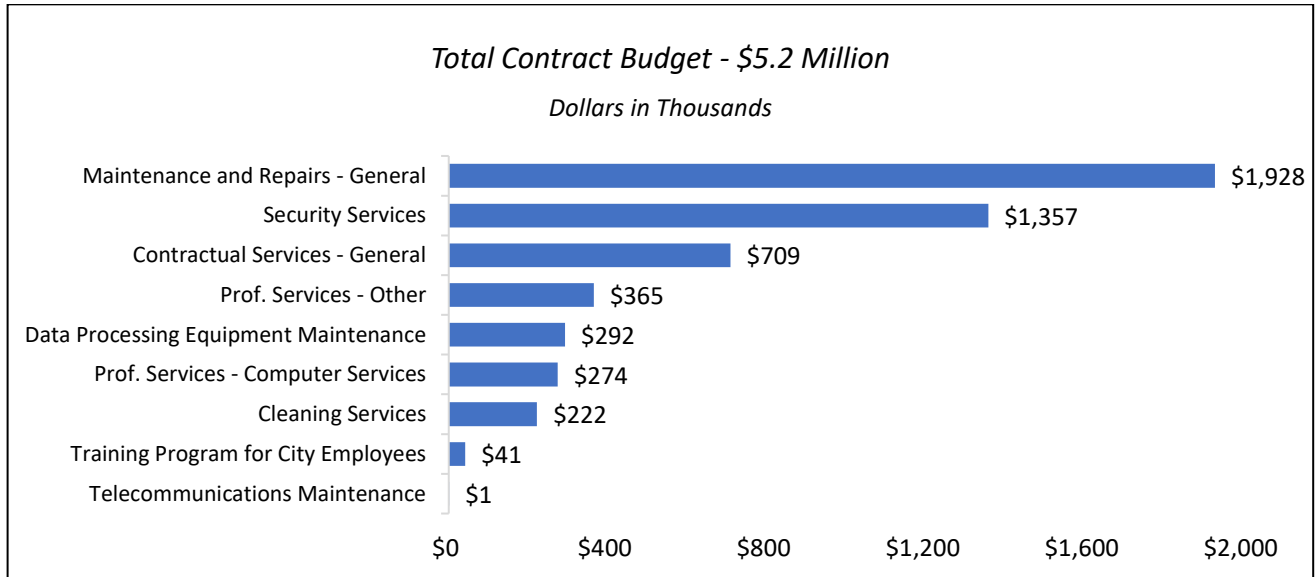
Performance Indicators	Actual			Target		4-Month Actual	
	FY16	FY17	FY18	FY19	FY20	FY18	FY19
Remains recovered following a disaster or mass fatality incident (cumulative)	21,916	21,916	21,905	-	-	21,905	21,905
Remains identified following a disaster (cumulative)	14,308	14,348	14,467	-	-	14,467	14,549

Contract Budget

The New York City Charter mandates the preparation of a Contract Budget to identify expenditures for contractual services, which are defined as any technical, consultant or personnel service provided to the City by means of a contract. The Contract Budget is actually a subset of the OTPS portion of the City's Expense Budget. The Administration prepares a Contract Budget twice each fiscal year. The Fiscal 2020 Preliminary Contract Budget totals for procurement expenditures across all agencies.

The Department’s Fiscal 2020 Contract Budget totals \$5.2 million for 31 contracts accounting for nearly eight percent of the Department’s OTPS budget. Contracts for maintenance and repairs-general and security services comprise a substantial portion, 63 percent, of OCME’s total contract budget.

Figure 7: Fiscal 2020 OCME Contract Budget

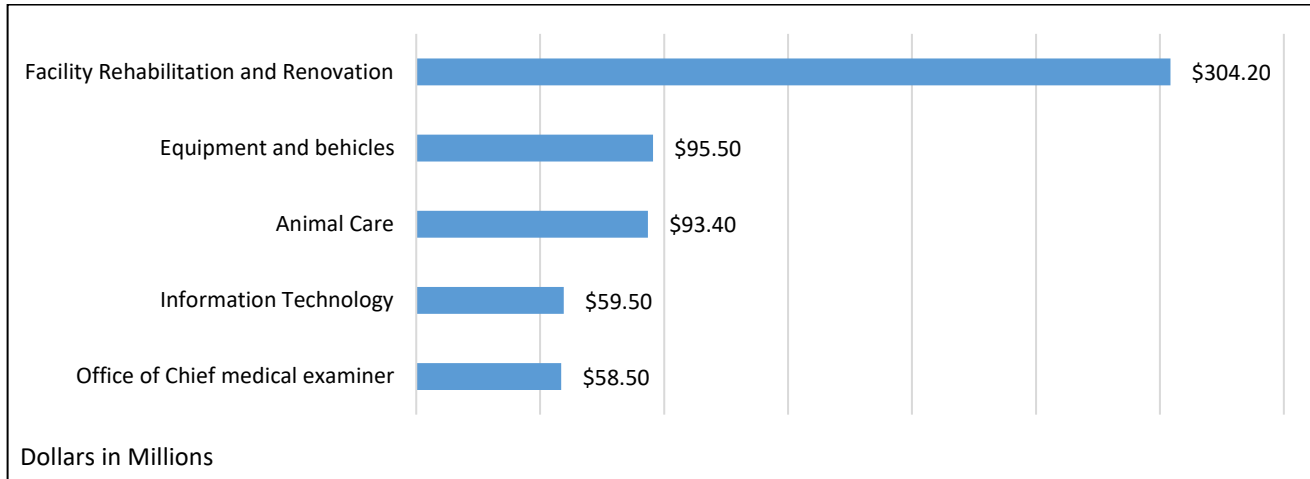


Capital Plan Overview

This section will provide an overview of the Preliminary Ten-Year Strategy, Commitment Plan and Capital Budget for OCME. The City’s Ten-Year Strategy totals \$104.1 billion (all funds), which is \$14.5 billion larger than the \$89.6 billion Fiscal 2018-2028 Ten-Year Strategy. DOHMH’s Ten-Year Capital Strategy totals \$611.1 million, or one percent of the City’s total Strategy. OCME’s share of the DOHMH’s \$611.1 million Strategy, is just \$58.5 million. These projects include IT upgrades and laboratory equipment. More than half, 52 percent, of the funding is planned for Fiscal 2020 through Fiscal 2022. Despite the upward trend of the Office’s budget and workload and the expectation that trend will continue as the City’s population grows, the Capital Strategy include only \$14 million total after Fiscal 2026. OCME’s portion of the DOHMH Capital Strategy should be revised to include a reasonable estimate of capital spending on upgrades, expansion and maintenance projects throughout the Strategy period.

Each agency’s Ten-Year Strategy is broken down into categories which describe the general type of capital work being done therein. The chart below shows how the DOHMH Ten-Year Strategy is distributed among these categories. All of the projects associated with OCME fall into a single category.

Figure 8: DOHMH Ten Year Strategy by Category



Fiscal 2019 Preliminary Capital Budget for Fiscal 2020-2023

The Capital Budget provides the estimated need for new appropriations for Fiscal 2020, along with projections for the subsequent three-year capital program.

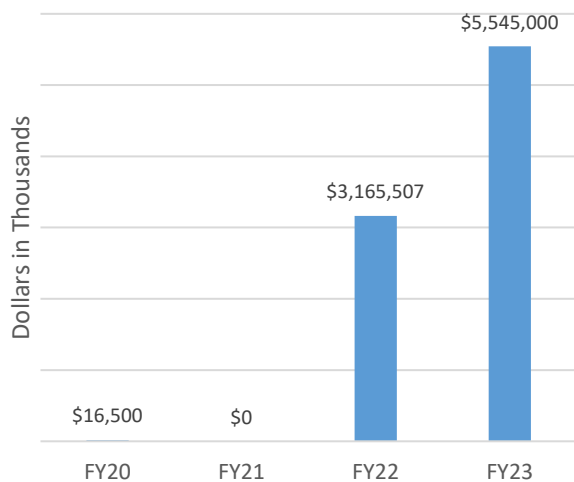


Figure 9: DOHMH Capital Budget FY2020-FY2019

As shown in the chart to the left, OCME’s Fiscal 2020 Preliminary Capital Budget includes \$8.7 million in Fiscal 2020-2023. This represents approximately .17 percent of the City’s total \$52.8 billion Capital Budget for 2020-2023. DOHMH appropriations for Fiscal 2019 total \$383.4 million.

This includes \$357.2 million in reauthorized prior appropriations and \$26.2 million in authorized Fiscal 2019 appropriations. OCME’s portion of this total for Fiscal 2019 totals \$32 million. This includes \$31.4 million in reauthorized prior appropriations and \$629,000 in authorized Fiscal 2019 appropriations. ¹

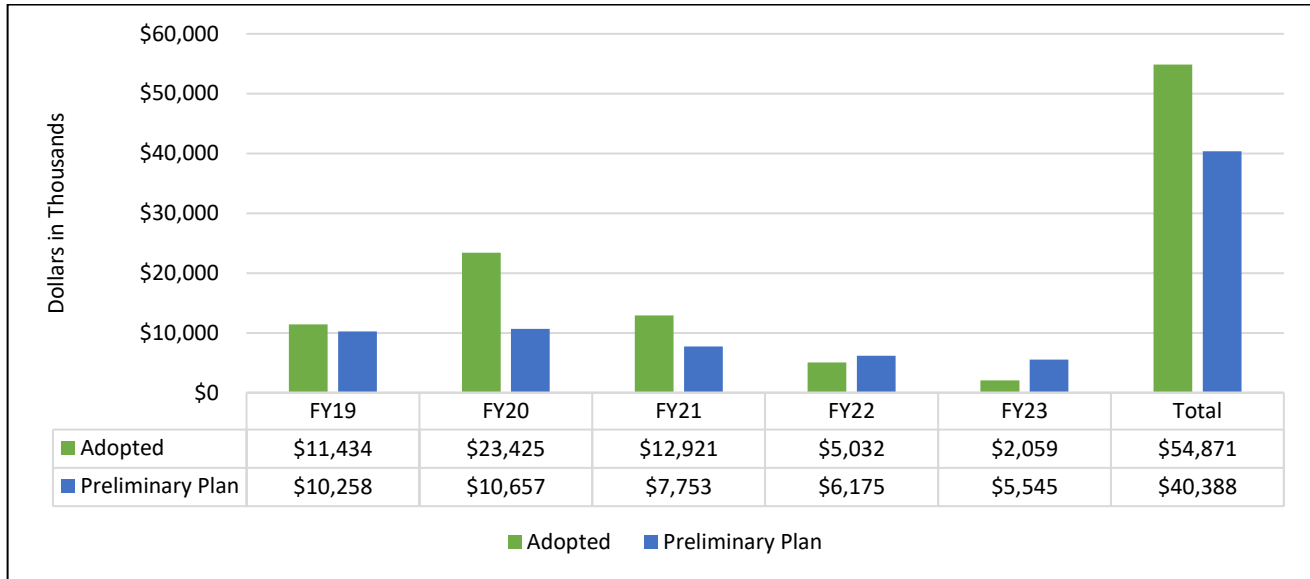
Fiscal 2019 Preliminary Capital Commitment Plan for Fiscal 2019-2023

The City’s Capital Commitment Plan details the Administration’s plan to spend the appropriations. The Commitment Plan provides project-level funding detail, as well as an estimate of expenditure dates. The Plan shows each project’s estimated start date and time to completion.

The DOHMH Preliminary Commitment Plan includes \$553 million in Fiscal 2019-2023. This represents approximately .66 percent of the City’s total \$83.8 billion Preliminary Commitment Plan. The OCME’s portion of DOHMH’s Commitment Plan includes \$40.4 million in Fiscal 2019-2023. This represents approximately seven percent of the DOHMH’s total \$553 million Preliminary Commitment Plan.

¹ See footnote 1 regarding the calculation of Fiscal 2019 capital appropriations.

Figure 10: OCME FY19-FY23 Commitment Plan



The Preliminary Capital Plan for OCME for Fiscal 2019-2023 has decreased by more than \$14.5 million to a total of \$40.4 million, demonstrating a 26 percent decrease when compared to the Office’s Adopted Commitment Plan. The total appropriations for OCME in Fiscal 2019 are \$32 million against planned commitments total of \$629,000.² This excess balance of \$32 million in appropriations gives the Administration considerable flexibility within the capital plan. However, as the commitment of appropriations are legally bound to their budget line descriptions, this flexibility is more limited than it appears from this variance alone.

As displayed in the chart above, planned commitments for OCME are spread across the five years of the Plan period, rather than being concentrated in the first year or two of the Plan. Scheduling commitments according to a realistic capital project schedule is commendable.

2019 Preliminary Capital Commitment Plan Highlights

Major capital projects included in the Preliminary Capital Plan for Fiscal 2019-2023 include the following.

- **New Medical Examiner Facility.** The Fiscal 2019 Capital Commitment Plan includes funding of \$18.2 million for the construction of a new medical examiner facility. The Office is working on locating a site to build a new Pathology Center.

² Appropriations for Fiscal 2019 are calculated by summing the available appropriations listed in the commitment plan with actual commitments to-date. Because commitments to-date excludes inter-fund agreements (IFA), this figure may be slightly lower than the total appropriations for Fiscal 2019. In addition, a very small portion of the difference between appropriations and planned commitments are necessary to fund IFA, which are excluded from this planned commitments figure.

Appendices:

A: Budget Actions in the November and the Preliminary Plans

<i>Dollars in Thousands</i>	Fiscal 2019			Fiscal 2020		
	City	Non-City	Total	City	Non-City	Total
OCME Budget as of the Adopted 2019 Plan	\$76,771	\$1,901	\$78,672	\$77,535	\$325	\$77,860
New Needs						
Serology Testing	\$123	\$0	\$123	\$370	\$0	\$370
Subtotal, New Needs	\$123	\$0	\$123	\$370	\$0	\$370
Other Adjustments						
DC 37 Collective Bargaining	\$1,395	\$0	\$1,395	\$2,414	\$0	\$2,414
Homeland Security Swap	1,017	0	1,017	1,017	0	1,017
Medical Examiner Collective Bargaining	1,535	0	1,535	1,776	0	1,776
OCME Stationary Engineers	(127)	0	(127)	(127)	0	(127)
Other Adjustments	0	\$9,992	9,992	0	0	0
Subtotal, Other Adjustments	\$3,821	\$9,992	\$13,813	\$5,080	\$0	\$5,080
TOTAL, All Changes	\$3,943	\$9,992	\$13,936	\$5,450	\$0	\$5,450
OCME Budget as of the Preliminary 2020 Plan	\$80,714	\$11,894	\$92,607	\$82,985	\$325	\$83,310

B: OCME Contract Budget

OCME Fiscal 2020 Preliminary Contract Budget				
<i>Dollars in Thousands</i>				
Category	Fiscal 2019 Adopted	Number of Contracts	Fiscal 2020 Preliminary	Number of Contracts
Telecommunications Maintenance	\$1	1	\$1	1
Training Program for City Employees	58	1	41	1
Cleaning Services	212	1	222	1
Prof. Services - Computer Services	296	1	274	1
Data Processing Equipment Maintenance	292	1	292	1
Prof. Services - Other	172	1	365	1
Contractual Services - General	204	1	709	1
Security Services	1,357	1	1,357	1
Maintenance and Repairs - General	1,826	23	1,928	23
Telecommunications Maintenance	1	1	1	1
Training Program for City Employees	58	1	41	1
Cleaning Services	212	1	222	1
Prof. Services - Computer Services	296	1	274	1
Data Processing Equipment Maintenance	292	1	292	1
Prof. Services - Other	172	1	365	1
TOTAL	\$4,420	31	\$5,190	31