

IACME *news*

A publication of the Iowa Association of County Medical Examiners

FALL 2014

President's Message

—page 2

Board of Directors elections, bylaws change at IACME Member Meeting November 14

—page 2

IACME Ad Hoc Committee looks at Iowa's medical examiner system

—page 2

IACME Board member president-elect of National Association of Medical Examiners

—page 3

Electronic Death Certificate Information

Iowa's new Electronic Death Registration System (EDRS) has totally replaced the paper registration process. Two field representatives from the Iowa Department of Health Bureau of Vital Statistics will be on hand at the IACME Fall Meeting to answer your questions about the new system.

Still time to register for IACME Fall Meeting & Education Expo

Deadline to register is November 1

Timely presentations on emerging diseases, the Colorado movie shootings, court testimony and bodies found in water will highlight the IACME Fall Meeting and Education Expo November 14-15 at the West Des Moines Marriott.

The IACME Fall Meeting is open to medical examiners, medical examiner investigators, law enforcement,

funeral directors, nurses, emergency medical technicians and anyone involved in death investigation. The program focuses on practical topics which will help death investigators do a better job.

The registration deadline is November 1. There will be a \$25 late

continued page 2

Online registration available

This year, you can register online and pay via credit card for the IACME Fall Meeting. Just go to the Fall Meeting section of the IACME web site, www.iacountyme.org. The web site also has a paper registration form you can download and print if you prefer to register and pay by mail.

IACME files amicus brief in murder case verdict reversal

The Iowa Association of County Medical Examiners has filed an amicus brief challenging a court's decision to overturn the verdict in a Fort Dodge murder case.

In September of 2011, Oklahoma native Hillary Tyler was accused of drowning her newborn baby in a Fort Dodge hotel room. At the time of her arrest, Tyler confessed to drowning the baby immediately after his birth.

Tyler was tried in February of 2013, found guilty of second degree murder and sentenced to 50 years in prison. The jury heard testimony from Daniel Cole, MD, Webster County Medical Examiner and IACME president. Jonathan Thompson, MD, Iowa Office of the State Medical Examiner, performed the autopsy and also testified during the trial.

continued page 3

IACME Fall Meeting

from page 1

fee assessed for anyone who registers after that date.

At its March, 2014 meeting, the IACME Board of Directors reviewed attendee evaluations of the 2013 IACME Fall Meeting. A significant number of attendees requested that more food be made available during meeting breaks.

The Board noted that the average per-person cost of food, beverages, speaker fees and other meeting costs significantly exceeded last year's MEI/Associate Member registration fee. The Board approved a \$25 increase in the MEI/Associate Member and MEI/Associate non-member registration fees. ♦

IACME elections

IACME elections will be held at a member meeting Friday evening November 14 during the IACME Fall Meeting and Education Expo. Two seats on the IACME Board of Directors are open for election. Incumbents Gregory Schmunk, MD and Michael Hensch, F-ABMDI are seeking re-election.

Members will also vote on a bylaws change that will create an emeritus membership category for medical examiners who are IACME members but are no longer practicing. ♦

A Message from Our President

by Daniel Cole, MD, President, IACME

Optimism should be the norm as we approach the Fall Meeting of the IACME. Work is progressing in electronic reporting, and the Iowa Office of the State Medical Examiner has received a grant to develop a response to mass casualty events. The Fall Meeting program is very timely and covers many exciting topics including water deaths, interacting with news agencies and testifying in court. The ME-101 program is again being offered. The attendance last year was an all time high, and we are anticipating exceeding that number this year. I look forward to seeing all of you in November. ♦



IACME Ad Hoc Committee studies Iowa's ME system

The IACME Ad Hoc Committee on the Iowa State Medical Examiner system has held several meetings since April. Committee members are: Daniel Cole, MD, chair; Thomas Carroll, MD; Dennis Crabb, MD; Barbara Harre, MD; Paul Jensen, MD; and Gregory Schmunk, MD. The ad hoc committee is the result of a recommendation from the IACME Board of Directors.

Committee members agreed on two statements as a starting point for the discussion:

1. Iowa's state medical examiner system has greatly improved in the past 25 years.
2. Iowa does not have a true state medical examiner system.

The committee discussed a number of perceived problems with the current medical examiner system. These problems include:

- Wide disparity among the counties in the cost of transporting bodies to and from the Iowa Office of the State Medical Examiner.
- How and where autopsies are done, including autopsies done by hospital pathologists who haven't sought such cases.
- Cases sent out of state.
- County medical examiners whose budgets are inadequate to handle the number of cases that appear.

Watch future issues of *IACME Update* and www.iacountyme.org for reports on further deliberations by the committee. ♦

IACME files amicus brief, from page 1

Tyler's attorney appealed the verdict on the grounds that the confession was coerced. The attorney alleged Dr. Thompson should not have been allowed to testify that the cause of death was drowning, since that testimony was based on Tyler's confession rather than on the autopsy results.

In June of this year, the Iowa Court of Appeals overturned the guilty verdict and ordered that Tyler receive a new trial.

Tyler's attorney said the ruling "should prevent medical examiners from becoming an arm of the police rather than a scientific expert."

Prosecutors petitioned the Iowa Supreme Court to hear the case, and the court agreed. IACME filed its brief in late September. Medical background information for the brief was provided by the IACME Board of Directors.

In the brief, IACME representatives argue that medical examiners practice in the same manner as other physicians and that patient history is a crucial component of a medical examiner's opinion on cause and manner of death.

"The practice of forensic pathology requires that a medical examiner consider witness statements when determining the cause and manner of death."

The Court of Appeals ruling, argues the brief, means that medical examiners will be forced to "form their opinion as to cause and manner of death while sitting in a lab without talking to anyone with knowledge of what might have happened."

Dr. Cole says the court of appeals verdict reversal has serious implications for court testimony by medical examiners.

"Physicians are not expected to make a diagnosis based solely on physical exam without a patient history. A medical examiner cannot always reach a final cause and manner of death without looking at the entire case, including interviews and police reports," he comments. "We are physicians as well as medical examiners, and the court should let us practice forensic medicine without legal interference."

There is no timeline for the supreme court to rule on the case. ♦

NAME president

IACME Board Member Marcus Nashelsky, MD is the new president of the National Association of Medical Examiners (NAME). He was elected at the group's annual meeting last month in Portland, Oregon. He will take office in January of 2015.

Dr. Nashelsky is a clinical professor of pathology at the University of Iowa, and is the Johnson County Medical Examiner. ♦

"We are physicians as well as medical examiners, and the court should let us practice forensic medicine without legal interference."

**Daniel Cole, MD,
IACME President**

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**2015 IACME Fall Meeting
and Education Expo**

**November 13-14, 2015
West Des Moines Marriott**