



NATIONAL COMMISSION ON FORENSIC SCIENCE

NIST
National Institute of
Standards and Technology
U.S. Department of Commerce

Recommendation to the Attorney General Certification of Medicolegal Death Investigators

Subcommittee	Approved by Commission	01/30/2015
Medicolegal Death Investigation	Action by Attorney General	12/07/2015

Attorney General Action

The Department of Justice (DOJ) responded on December 7, 2015, by referring the Recommendation to the Office of Science and Technology Policy at the White House to establish an interagency working group aimed at bringing higher levels of scientific rigor and reliability to the field of medicolegal death investigation. For more information, please see the full press release at: <https://www.justice.gov/opa/pr/justice-department-announces-new-accreditation-policies-advance-forensic-science>.

Commission Action:

The Commission voted to adopt this Recommendation on January 30, 2015 by more than a two-thirds majority vote (93% yes, 7% no, 0% abstain).

Note: This document includes recommendations developed and adopted by the National Commission on Forensic Science and proposes specific acts that the Attorney General could take to further the goals of the Commission. The portion of the document directly labeled "Recommendations" represents the formal recommendations of the Commission. Information beyond that section is provided for context. This document does not necessarily represent the views of the Department of Justice or the National Institute of Standards and Technology. The National Commission on Forensic Science is a Federal Advisory Committee established by the Department of Justice. For more information, please visit: <https://www.justice.gov/ncfs>.

Type of Work Product

Directive Recommendation issued by the Subcommittee on Medicolegal Death Investigation.

Recommendation

The National Commission on Forensic Science requests that the Attorney General of the United States approve a recommendation that directs the Office of Justice Programs to establish a priority to use grant funds to defray the cost of ensuring all medicolegal death investigators (MDI) and Coroners (who are involved in conducting medicolegal death investigations) in the United States obtain professional certification by the end of the year 2020.

Statement of Issue

Certification is a basic credential for individuals practicing within a particular industry. ABMDI registry certification is the primary and basic credential for medicolegal death investigators (ABMDI “board certification” is an advanced credential). Unfortunately, many government agencies that have the capability to provide financial support to medical examiner or coroner offices do not give priority to enhancing professional competency of our Nation’s MDIs. Federal funding to support certification of MDI practitioners is non-existent. The National Research Council (NRC) has published two reports which have components that emphasize the importance of improving our Nation’s MDI system, which is demonstrative of the fact that this vital community of practitioners is not properly supported to ensure competency. It is estimated that between 5,000 to 8,000 professionals would require certification under this recommendation. This number includes approximately 1500 persons currently certified but requiring recertification during the next five years.

Background

The number of board certified forensic pathologists in the United States is relatively small in comparison to the overall number of MDIs and non-physician coroners. For the purposes of this proposal, an MDI is considered an individual employed within a coroner or medical examiner’s jurisdiction and has the primary function of performing investigations to assist in determining the cause and manner of death. It is estimated that between 5,000 and 8,000 MDIs are currently employed throughout the United States. At present, only about 1,500 MDIs are certified by the American Board of Medicolegal Death Investigators (ABMDI) (1-5).

In large part, practicing Medical Doctors are required to obtain and maintain board certification to work in their specialty areas, while the same is not true for MDIs. Traditionally, forensic pathologists seeking board certification bear the cost of certification themselves, often as a prerequisite for employment. Well-established certification bodies such as the American Board of Pathology (ABP) exist to provide such board certification. The ABMDI serves this purpose for MDIs, but employers often do not require this credentialing.

Recommended Implementation Strategy

The Attorney General should direct the Office of Justice Programs (OJP) to collaborate with the National Institutes of Health to use funds within an existing grant program or create a new grant program to defray the costs associated with certification of medicolegal death investigators in the United States (See Appendix A, Table 1, 2). OJP should also provide technical assistance and funding to enable certification programs to become formally recognized as conformant to ISO/IEC 17024. Federal funding used to defray costs associated with certification would occur on a reimbursable basis when an individual or his or her employer provides documented proof of certification. It is estimated that approximately \$11,210,000 will be required over 5 years to support such a program.

Certification costs will vary among jurisdictions and likewise it is recognized that a reimbursement-based program may not provide a strong incentive to achieve the objective. Of greater concern is how those in small jurisdictions, where work may be part-time only or involve only small numbers of cases, can obtain the necessary number of hours of supervised experience to qualify for certification. This is a matter for further study but should not preclude the

certification reimbursement process for individuals who do not face such obstacles. For the purpose of cost estimates, we have used the upper estimate of 8000 as the number of certified investigators required. Because 1500 investigators are already certified, 6500 additional certifications of investigators are needed. At the end of the five-year program period, individuals or their employers would be expected to cover certification costs incurred after year 2020.

APPENDIX A

Table 1. Estimated cost of ABMDI certification

Group	Number	Already ABMDI Certified or Registered (Estimated)	Need Certification	Initial Cost at \$450
Investigators	6061	1000	5061	2,277,450
Coroners	1939	500	1439	647,550
Total	8000	1500	6,500	2,925,000

In addition to the initial costs for certification, ABMDI requires 45 hours of continuing education credit every 5 years to maintain ABMDI certification. Some of this credit can be obtained via on-line continuing education programs, but it is recommended that funding be provided for the registration fee for two, one week CE-approved courses during the five year period for each eligible person. As of the start of this program, approximately 1500 persons would have already been certified, so approximately 6500 new certifications would be needed during the five per program, or an average of 1300 new certifications per year. Continuing education requirements would apply to those who became certified in the first four years of the program, but in addition, also to the 1500 people certified prior to the start of the program whose certifications would lapse. A key element of the program’s success is to maintain the certification of those who become certified.

The annual certification maintenance costs would increase each year as the number of people certified increases cumulatively each year-to-date. Based on the assumption that a maximum expense approach is taken to ensure initial certification of 6500 people and ongoing certification of all 8000 eligible persons, estimated costs are as follows:

Table 2. Projected certification costs for a five year implementation plan

Certification Rate	All Certification-Related Costs	Certification Costs Only
20% Year 1 (1300 people) (1500 need maintenance fee) (1500 need CME fee) CME is for the 1500 people already certified	Initial \$585,000 Maintenance 75,000 CME fee 900,000 Total 1,560,000	\$660,000
20% Year 2 (1300 people) (2800 need maintenance fee) (1300 need CME fee) CME is for the 1300 certified in Year 1	Initial \$585,000 Maintenance 140,000 CME fee 780,000 Total 1,505,000	\$725,000
20% Year 3 (1300 people) (4100 need maintenance fee) (1300 need CME fee) CME is for the 1300 certified in Year 2	Initial \$585,000 Maintenance 205,000 CME fee 780,000 Total 1,570,000	\$790,000
20% Year 4 (1300 people) (5400 need maintenance fee) (2800 need CME fee) CME is for the 1300 certified in Year 3 and a second CME course for the original 1500.	Initial \$585,000 Maintenance 270,000 CME fee 1,680,000 Total 2,535,000	\$855,000
20% Year 5 (1300 people) (6700 need maintenance fee) (5,200 need CME fee) CME is for the second CME course for those certified in Years 1-4	Initial \$585,000 Maintenance 335,000 CME fee 3,120,000 Total 4,040,000	\$920,000
100% of eligible persons certified within 5 years	Total 11,210,000	\$3,950,000

The total cost for a universal national medicolegal death investigation personnel certification program would range from \$1,505,000 to \$4,040,000 per year with a total cost of \$11,210,000 over the five year period, resulting in 100% of personnel being certified by the end of year 2020. At the end of the five year program period, individuals or their employers would be expected to cover certification costs incurred after year 2020.

APPENDIX B

Certification

Registry Certification conferred by the American Board of Medicolegal Death Investigators (ABMDI) is the basic credential for certification of medicolegal death investigators, to include coroners functioning as medicolegal death investigators. This certification currently requires the person to be employed by a medical examiner or coroner office, have a minimum of 640 hours of death investigation experience, signed professional reference, and successful passage of an examination. The Registry examination involves 240 multiple choice questions from a training text based upon the NIJ Death Investigation: A Guide for the Scene Investigator, first published in 1999 and updated in 2011, which was developed by a National Medicolegal Review Panel. The material covers the following areas: interacting with federal, state, and local agencies, communicating, interacting with families, investigating deaths, identifying and preserving evidence, maintaining ethical and legal responsibilities, demonstrating scientific knowledge, and coping with job-related stress. The following principles are emphasized: photographing the body, conducting a superficial external body examination, preserving the evidence on the body, establishing decedent identification, document post-mortem changes, participating in a scene debriefing, determining notification of death procedures, and ensuring the security of the remains. The investigator must also affirm the ABMDI Code of Ethics.

References

- 1) Personal communication. Julie Howe. American Board of Medicolegal Death Investigators. September 12, 2014.
- 2) Weinberg M, Weedn VW, Weinberg S, Fowler D. Characteristics of Medical Examiner/Coroner Offices Accredited by the National Association of Medical Examiners. J Forensic Sci 2013; 58(5); 1193-99. BJS Census
- 3) Scientific Working Group on Medicolegal Death Investigation. Regional Medicolegal Autopsy and Death Investigation Centers -Construction, Staffing, and Costs- A Report and Recommendations. September 2013. Available at: <http://www.swgmdi.org/images/si6.facilityconstruction.published.9-17-13.pdf> Accessed January 7, 2015.
- 4) Bureau of Justice Statistics Special Report. Medical Examiners and Coroners' Offices, 2004. US Department of Justice, 2007. Available at: <http://www.bjs.gov/content/pub/pdf/meco04.pdf> Accessed January 7, 2015.
- 5) Hanzlick R. NAME-L Survey of Medicolegal Death Investigator Numbers in Non-Coroner States. Survey conducted January 7-10, 2014.