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More support may mean less backlog for medical examiners

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Rich Turner said it took nearly nine months before the medical examiner's office finalized a death certificate for his husband.

By Matt Rocheleau

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With virtually no progress in recruiting more forensic pathologists, the state's medical examiner's office plans to expand its support staff and is taking a more team-based approach to tackling cases — steps the office hopes will help reduce a staggering backlog of unfinished autopsy reports and death certificates.

By Sept. 1, officials plan to have hired about a dozen workers who will support medical examiners, according to Felix Browne, a spokesman for the Executive Office of Public Safety and Security, which oversees the medical examiner's office.

The shortage of medical examiners has left some grieving families in limbo with no knowledge of why, or how, a loved one died.

The teams of assistants being assembled for each medical examiner will focus on helping the pathologists collect and complete paperwork, including police reports and medical records, which are often needed to close cases.

“Adding additional support staff will help us to further reduce paperwork backlogs and provide timely information to families in their time of need,” said Browne.

He said that in recent months the office had made progress reducing the backlogs, thanks in part to increased funding.

The office received a state funding bump in each of the past two fiscal years that has raised its allocation from \$7.5 million in fiscal 2014 to \$9.75 million in fiscal 2016, which began July 1. The office has also collected more revenue from cremation fees.

Curtis M. Wood, the state's forensic science and technology undersecretary, said the office plans to continue its hunt for more medical examiners, a process that so far has proved frustrating. In late June, the office added three medical examiners, but an equal number left recently.

Officials blame a nationwide shortage of pathologists, as well as public attention following blunders at the Massachusetts office, including bodies being misplaced and misidentified, and failing to turn over remains for burial.

The office has had only provisional accreditation since December 2012. Delays in completing autopsies have

prevented it from earning full accreditation. The office plans to reapply in November.

To try to speed up autopsy completion times, as well as reduce its backlog and limit demands on overworked medical examiners, the office has in recent years increasingly conducted external examinations on bodies, instead of more thorough internal exams.

However, that practice, the office has acknowledged, does not meet national standards and could cause it to miss true causes of death.

The struggle to hire more medical examiners, which dates from July 2014 when the office first received additional funding for the hires, was underscored by the discussion at an October meeting of a commission established to oversee the medical examiner's office. Medical examiner Dr. Mindy Hull, a member of the Commission for Medicolegal Investigations, said "she was advised by colleagues not to come here and it is hard to work here since there are a lot of cases," according to minutes of the session.

Between the start of 2011 and July 10 of this year, state medical examiners handled 23,466 death cases, but had yet to issue death certificates for 2,037, or 9 percent, of those cases.

State officials said they try to work with families who need death certificates to settle financial or legal affairs, including writing letters to note that foul play was ruled out.

For cases requiring autopsies, death certificates can be issued, even if autopsy reports have not been completed, officials said. Typically performed at the behest of prosecutors, autopsies are also sometimes requested by family members who want to know whether their relatives died of hereditary conditions. Autopsy reports are not typically needed to collect insurance benefits or close estates, state officials said.

Meanwhile, among the 11,300 deaths for which autopsies were deemed necessary during the past five years, 29 percent of the cases — or 3,232 — were without a completed autopsy report, as of July 10, according to data provided by the office.

When a family has an urgent need to have a death certificate, autopsy, or other paperwork completed, the office tries to prioritize its case, Wood said.

Officials said most cases involving families still seeking documentation are deaths that occurred in 2014 or 2015.

The office has some even older unfinished cases, however, dating back at least as far as 2007.

Rich Turner, 53, said it took nearly nine months — and repeated phone calls and letters from his insurance company — before the medical examiner's office finalized a death certificate for his husband, Andrew LeClair, 52, who was found dead in October



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2013 in their Boston condo.

Rich Turner and his late partner, Andrew LeClair, on a trip to Paris.

The delay meant Turner had to pay out of pocket to cover funeral expenses for LeClair, cremate his body, and bury his remains.

Assets designated by LeClair's will to go to his nephew could not be transferred, Turner said. And he said the death certificate was issued only a few months before an insurance company deadline that would have caused him to forfeit life insurance payouts for LeClair's death.

"It was a tremendous amount of extra stress," said Turner of the delay. "It's a pointless hardship."

State Senator William Brownsberger, a Democrat from Belmont, said he heard a similar story of a family encountering lengthy delays to get paperwork after the death of a loved one, prompting Brownsberger to meet with leaders of the office. He came away optimistic.

"They seem to be moving in the right direction," said Brownsberger.

Officials said that the office has also taken steps to improve efficiency, including bolstering the office's fellowship program, improving partnerships with local medical institutions, and buying new equipment.

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