

Metro ▾

	SECTIONS	49 MY SAVED ▾	▾
NEWS ▶	METRO		🔍
ARTS ▶	BUSINESS ▶		
SPORTS ▶	OPINION ▶		
LIFESTYLE ▶	MAGAZINE ▶		
INSIDERS ▶	TODAY'S PAPER ▶		
LOTTERY ▶	OBITUARIES ▶		
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68 BLOCKS ▶			

Metro

State lags in testing for causes of deaths

By **Matt Rocheleau** | GLOBE CORRESPONDENT MAY 15, 2014

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A cost-cutting measure by the state medical examiner’s office has caused extensive delays in determining the cause of unexplained deaths, creating a backlog of hundreds of cases and leaving some families waiting several months for answers.

Since last July, the time it takes for the office to generate post-mortem toxicology test results has increased eightfold, from an average of two weeks to about four months, making it difficult for relatives to collect insurance benefits, close out estates, and come to understand how their loved one died.

“We fully anticipated a little spike in the turnaround time, but we didn’t anticipate it to be so long,” said Curtis M. Wood, the state’s forensic science and technology

undersecretary.

The delays began last July after the office dropped its go-to tester, UMass Memorial Toxicology Laboratory, and the lab's \$1.9 million annual contract, and instead gave the responsibility to the Massachusetts State Police Crime Laboratory, which said it can do the work for \$1.3 million a year.

The state, however, underestimated how long it would take to hire and train staff and to adjust equipment, said Wood, who oversees the crime lab, the medical examiner's office, and several related state offices. Also to blame, he said, are delays in construction that, when complete, will allow for the toxicology testing operation to move to a State Police drug lab in Sudbury.

Wood said he is confident the office's turnaround time on toxicology testing will return to normal levels within several months.

But that provides little solace to families caught up in the backlog. "The whole thing is, it's cruel," said Daniel Bean, whose family waited for more than a year for an explanation of what caused the death of his sister-in-law, Elizabeth A. Reed. "You can't move on until you have that closure."

A relatively healthy 48-year-old, Reed was found dead on her kitchen floor in Springfield in March 2012. Her stunned family, including her three brothers and two sisters, worried she might have died of a hereditary problem. The death investigation, which included a toxicology test, ultimately determined that she died of heart failure, Bean said.

More than two months after Hadi Kasab, a 23-year-old MIT graduate student, was found dead in a university-owned residence hall, the state medical examiner's office has still not determined the cause and manner of his death.

Kasab's family, who live in Lebanon, were told by the medical examiner's office that they may have to wait another four or five months, said Mohamad Mirhi, one of Kasab's friends and a fellow MIT graduate student.

"Last month, they were very upset," Mirhi said. But Kasab's family is now trying to move on, even without closure. "It's like they're frustrated enough not to wait any longer."



To help clear up the backlog, the medical examiner's office has sent about 500 toxicology tests to be completed at private labs over the past three months, Wood said.

The office has also taken steps to shore up staffing, partially with the \$600,000 the state saved by dropping the UMass lab.

"We anticipate that we'll be able to clear this backlog and get back to our usual turnaround time by the end of the calendar year," Wood said.

Governor Deval Patrick's proposed budget included increasing the annual allocation for the medical examiner's office from about \$10 million to \$12.3 million. The House, in its version of the budget, approved \$12 million, while the Senate on Wednesday proposed \$11.9 million. The extra funding, which would be determined as part of a compromise between the chambers, would allow the office to hire additional medical examiners, legal experts, morgue technicians, and other support staff, Wood said.

The toxicology testing delays come as public safety officials in Massachusetts scramble to combat a spike in suspected heroin overdoses, potentially fueled by the drug being laced with fentanyl, a powerful synthetic opioid.

But state officials said the increase in suspected overdoses has not contributed to toxicology testing delays, nor have the toxicology delays curbed efforts to fight the overdoses.

The number of death investigations in which toxicology testing was ordered remained relatively steady in 2012 and 2013.

Even with the ongoing delays, the state can prioritize certain toxicology tests to get results back sooner.

"We can get a test back in three or four weeks if we have to," Wood said.

Unexpected, violent, or suspicious deaths are referred to the medical examiner's office, which then determines if a death investigation is required.

Wood said that the majority of death investigations involve toxicology tests, as well as other tests, reviews, and analyses on a case-by-case basis.

The goal of every investigation is to determine the cause and manner of death, which cannot be done until results come back for every test that is ordered in a case, officials said.

"It's important not only from a public safety and health standpoint and a legal standpoint for the Commonwealth, but also for the families and loved ones so they can know what happened," Wood said.

The state works with families to help them avoid setbacks with life insurance benefit collection and closing out estates. But sometimes the only way to complete such paperwork is to wait for the results.

“We recognize that we need to conclude the investigation as quickly as possible,” Wood said. “But science sometimes takes time.”

Last year, the [Springfield Republican](#) reported how the retirement in 2011 of one of the two medical examiners at the Holyoke medical examiner’s office caused delays for autopsy reports in Western Massachusetts, with some families waiting more than a year for findings.

The delays have only gotten worse, said Jay Czelusniak, a Northampton funeral home owner and head of the Western Massachusetts Independent Funeral Directors Association.

“When toxicology tests are involved, we used to tell families it will take four to eight weeks,” he said.

“Now it’s three to six months, if you’re lucky. And we’ve had families that have waited much longer than six months.”

Dr. Gregory G. Davis, chief medical examiner of Jefferson County in Alabama, said that toxicology results at his office have rarely taken longer than three to four weeks.

Davis also serves as president of the National Association of Medical Examiners, which he said holds a standard that medical examiners should complete 90 percent of autopsy reports within 90 days.

But, the association has no standard specific to toxicology turnaround time, and he said there are some offices in other states where toxicology results often take between six and eight months.

“Once you fall behind, it’s very hard to catch back up,” he said.

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