



The National Association of Medical Examiners®

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Dear Ms. Ballou:

The National Association of Medical Examiners (NAME) appreciates this opportunity to respond to the Notice published in The Federal Register, "Possible Models for the Administration and Support of Discipline-Specific Guidance Groups for Forensic Science".

NAME is the national professional organization of physician medical examiners, medicolegal death investigators, and death investigation system administrators who perform the official duties of the medicolegal investigation of deaths of public interest in the United States. NAME was founded in 1966 with the dual purposes of fostering the professional growth of physician death investigators and disseminating the professional and technical information vital to the continuing improvement of the medical investigation of violent, suspicious and unusual deaths. Growing from a small nucleus of concerned physicians, NAME has expanded its scope to include physician medical examiners and coroners, medicolegal death investigators, and medicolegal system administrators from throughout the United States and other countries. NAME serves as a resource to individuals and jurisdictions seeking to improve medicolegal death investigation by continually working to develop and upgrade national standards for death investigation. NAME aims to involve competent professional medicolegal death investigators in every jurisdiction in the United States.

We do not wish to address every question in The Federal Register, but would like to offer some general comments.

Structure of the Guidance Groups

- Standards should be vetted and promulgated through cooperation and formal coordination with active professional organizations, such as NAME.
- Membership should not be fee-based. Membership should be based on competence (both professional and cultural) and subject matter expertise, not influence or financial assets. Many medicolegal death investigation systems lack the financial resources to support a fee-based model.

Impact of Guidance Groups

- Any Guidance Group dealing with Forensic Pathology or Medicolegal Death Investigation should recognize that Forensic Pathology already has the most robust professional certification in all of forensic science (at least 12 years of post-high school education with certification by the American Board of Pathology).
- Forensic Pathology is the practice of medicine and does not need validation as a discipline. Because it is the practice of medicine, both an art and a science, it should be evaluated as such and be subject to the recommendations of peer scientists, namely other Forensic Pathologists and the medical community.
- Standards should be developed on the basis of quantitation of expected benefits, costs and the balance between them.
- NAME has been successful in promoting excellence in the practice of forensic medicine through its autopsy performance standards and office accreditation process. The Guidance Groups should support and build on these successes. It would be counterproductive to destroy the structure and standards that have already proven effective. The Guidance Groups should develop recommendations to encourage widespread implementation of the existing NAME standards.
- While the scope of the work of the Guidance Groups should be directed by NIST, it should not be dictated at the document-specific level.
- The Guidance Groups should not dictate enforcement mechanisms.
- NIST should recognize that different disciplines have different methods of inference and validation and cognitive specialties have different ways of drawing conclusions than the laboratory sciences. Medicine is not manufacturing and making a medical diagnosis is not simply a laboratory procedure. Not all disciplines lend themselves to statistical models and it is important to recognize the foundational differences between disciplines.

Representation in the Guidance Groups

- Practitioners should make up the majority of the Guidance Group structure. “Stakeholders” who are not subject experts should not create or dictate professional medical practice standards. Stakeholders with an obvious function, such as a liaison to another discipline for example, could constitute a minority of the membership and serve in an advisory capacity. However, it is the position of NAME that physicians should be responsible for practicing medicine and that lay people should not dictate diagnoses, manner of death determination, or other aspects of forensic medical practice. It is not appropriate for a non-physician “stakeholder” such as a sheriff, coroner or funeral home director to dictate the practice of medicine.
- Any such Guidance Group should recognize the broad range of forensic medical practice and should not by its structure exclude private practitioners, private contractors, academic forensic pathologists, or other forensic pathologists who are not employed by governmental units.
- If the current SWGMDI transitions to a Guidance Group, it should increase the medical representation by including representatives from the College of American Pathologists and the American Society for Clinical Pathology and medicolegal death investigators should not be over-represented.

Scope of the Guidance Groups

- If the Guidance Group is non-medical then it should not make pronouncements on medical practice or medical judgments.

We are grateful for this opportunity to respond to the Notice concerning Guidance Groups for Forensic Science and look forward to working with you in the future to strengthen forensic science in the United States.

Very truly yours,



Lindsey C. Thomas, MD

Chair, NAME Ad Hoc Committee on Government Affairs



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