

Forensic Pathology shortage in West Virginia

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Drug deaths boost medical examiner workload

- By COURTNEY HESSLER
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Submitted. Jayden Taylor, 3, was found unresponsive in his home after being left alone by his mother Mariya Ajena Jones, 22, and stepfather Aaron Brendon Miles, 31, both of Huntington. They are charged with child neglect resulting in death.

HUNTINGTON - As attorneys for the mother and stepfather of Jayden Jones continue to plead for the toddler's autopsy report more than eight months after his death, the final details regarding how the 3-year-old died languish in a backlog affecting cases throughout the state.

Currently, the West Virginia medical examiner's office is being faced with more cases as the result of an increase in drug overdoses, coupled with insufficient staffing to keep up with the growing workload.

As of March 15, the rate of cases performed by the medical examiner's office is 15 percent higher than the same period in 2016, said Toby Wagoner, public information officer with the West Virginia Bureau of Public Health.

There are currently five full-time medical examiner positions and a chief examiner, but one position is vacant because of a lack of national board-certified forensic pathologists, Wagoner said.

By the numbers

Since Jan. 1, there have been 1,373 cases opened, an average of 19 cases a day. The Office of the Chief Medical Examiner is projecting more than 9,100 cases will be handled in 2017. There were 7,950 in 2016, up from just over 4,500 in 2012.

Wagoner says the primary reason for the increase is the opioid epidemic. The medical examiner office is projected to see a 40 percent increase in overdose death-related autopsies since 2014.

A Feb. 13 analysis by the West Virginia Health Statistics Center showed at least 818 people in the state died of drug overdoses in 2016 - four times the number that occurred in 2001 and a nearly 13 percent increase over the 725 who died of overdoses in 2015.

At least 72 of those occurred in Cabell County.

Fred Kitchen, funeral director of Henson & Kitchen Mortuary in Barboursville and president of the West Virginia Funeral Directors Association, said West Virginia's Indigent Burial Fund ran out of money by March in direct correlation to drug overdoses.

The fund, managed by the West Virginia Department of Health and Human Resources, pays about \$1,250 in funeral costs for indigent people, or those who otherwise lack funds.

Autopsy process

Autopsy reports include a medical history, test results and formal autopsy written reports. The medical examiner performs autopsies on people who die suddenly without a negative medical history, in a suspected violent manner, due to environmental conditions or people who die in the custody of law enforcement or the department of corrections.

Prosecuting attorneys may request an autopsy in cases where the evidence creates suspicion, but any death that falls outside of these areas must be handled outside of the medical examiner office, Wagoner said.

"The office does not perform private autopsies," he said. "A family must find a hospital or provider that performs private autopsies in order to request an autopsy."

The autopsies are processed in the order the death occurred, but homicide cases are prioritized.

Autopsies are performed six days a week in Charleston and in most cases bodies are released for burial within 72 hours. The process of legally identifying the deceased can cause delays in the process, however, Wagoner said.

"The time frame for release of autopsy reports has improved over the past five years in general," he said. "The time frame for release of a decedent to the legal next of kin has remained relatively constant with the exception of the legal identification issues."

The time for the final reports to be completed can be lengthy, however.

Trials for Mariya Ajena Jones, 22, and her husband, Aaron Brendon Miles, 32, both of Huntington, have yet to begin as prosecutors and defense attorneys continue to wait for an autopsy report on 3-year-old Jayden Jones, who died last July. The two, accused of causing physical harm to the boy, have been charged with his death.

Cabell County prosecutors, who had not received the report as of this month, indicated the extent of injuries found on the child has resulted in a lengthy autopsy report process.

While Wagoner could not comment on specific cases due to privacy laws, he said each person's case is specific and an estimated time frame is difficult to pinpoint.

"Some decedents may require additional toxicology testing, which can take eight weeks or more," he said. "Or if DNA testing is needed, that can take six months or longer."

Nationwide shortage

The office is currently one staff member short, and Wagoner says vacancies have been an issue seen nationwide. In the United States, there are fewer than 500 doctors certified as forensic pathologists.

In West Virginia, a forensic pathologist's starting salary is about \$180,000 and competitive with salaries in surrounding states. In Kentucky and Ohio, the average is about \$140,000. Virginia averages \$170,000 to \$180,000.

According to the National Commission on Forensic Science, approximately 17,500 medical school students graduate each year, but only 3 percent will study pathology. Only 7 percent of pathology students will train in forensic pathology.

The commission suggests forensic pathology salaries do not compare to other medical fields. An average compensation of a pathologist is \$335,000 annually, whereas a forensic pathologist is just under \$185,000.

Wagoner said more forensic pathologists and better facilities would help West Virginia's office.

"Although (the medical examiner's office) would benefit greatly from a modernized facility and an increase in the number of forensic pathologists and support staff, the

current economic climate simply does not make it possible at this current time," Wagoner said. "We are simply doing more with less."

Reporter Taylor Stuck contributed to this report.

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