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California State Legislature

SENATOR
HANNAH-BETH JACKSON
NINETEENTH SENATE DISTRICT



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JOINT COMMITTEE ON ARTS

March 10, 2016

Kimberly Kirchmeyer, Executive Director
Medical Board of California
2005 Evergreen Street, Suite 1200
Sacramento, CA 95815

Dr. Ms Kirchmeyer,

Thank you again for taking the time to meet with me and my staff, and staff from Assembly Member Jacqui Irwin's office yesterday regarding our serious concern about the allegations of potential violations made by the former Ventura County Chief Medical Examiner Jon J. Smith and his staff in the Ventura County Medical Examiner's Office.

Per our discussion, the Ventura County District Attorney recently released a report, which revealed a number of disturbing alleged violations of the Medical Practice Act. In this report, as you know, the District Attorney identified five separate occasions where former Chief Medical Examiner Smith either directly or indirectly allowed postmortem examinations or autopsies to be conducted by unlicensed or untrained staff, which included the cutting of tissue, intravenous removal of bodily fluids, opening of the body and the sampling of organs without a licensed physician present. Additionally, and more alarmingly, some of these actions were conducted at the direction of Dr. Smith while he was away on vacation thousands of miles away and not physically present during these procedures.

These allegations raise a number of questions and concerns as to the reliability of the Medical Examiner's work, the integrity of his office, and its ability to produce accurate and reliable cause of death determinations. They have also caused undue emotional distress for the families involved; causing them to question the processes and protocols used in the examination of their loved ones.

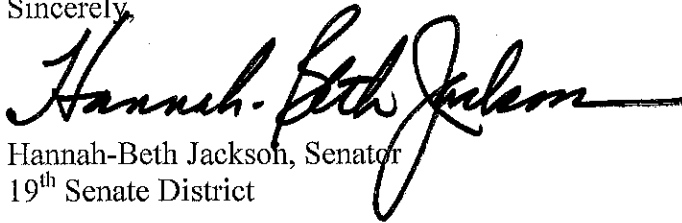
Given these egregious allegations, the resulting negative impacts upon the integrity of the Ventura County Medical Examiner's office, and the emotional distress they have caused, I strongly urge the Medical Board of California to do the following:



- Conduct a full and accurate investigation of the alleged incidents described in the Ventura County District Attorney's report;
- Take any and all appropriate action against those involved who violated the Medical Practice Act and the standard of care when conducting the postmortem exam or autopsy without the required training and certification or licensing;
- Advise the Legislature on whether the Medical Board lacks the necessary and appropriate tools to properly investigate this situation, and whether there are any inadequacies that inhibit the Medical Board from taking any necessary or additional actions against those involved.
- Advise the Legislature whether changes are necessary to ensure that autopsies meet the highest level of professional care and respect.

I appreciate your attention to this matter. Please do not hesitate to contact me if you have any questions or if I may be of further assistance.

Sincerely,

A handwritten signature in black ink, reading "Hannah-Beth Jackson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Hannah-Beth Jackson, Senator
19th Senate District