



# WASHOE COUNTY

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## STAFF REPORT

BOARD MEETING DATE: February 28, 2017

**DATE:** Tuesday, February 14, 2017  
**TO:** Board of County Commissioners  
**FROM:** Justin Norton, Regional Medical Examiner's Office  
(775) 785-6114, [jnorton@washoecounty.us](mailto:jnorton@washoecounty.us)  
**THROUGH:** Laura D. Knight, M.D., Chief Medical Examiner and Coroner  
**SUBJECT:** Waiver of six month "cooling off" period for former employee/independent contractor agreement for Ellen G.I. Clark, M.D. with estimated Independent Contractor Agreement cost of \$6,000 (All Commission Districts).

### SUMMARY

The Regional Medical Examiner's Office requests the Board of County Commissioners waive the former employee/independent contractor six month "cooling off" period for Ellen G.I. Clark, M.D., who retired from Washoe County on January 4, 2017.

**Washoe County Strategic Objective supported by this item:** Stewardship of our Community, Safe, Secure and Healthy Communities

### PREVIOUS ACTION

No previous action has been taken on this matter.

### BACKGROUND

On April 26, 2016, the Board approved a staff report creating a uniform process for independent contractor agreements by county departments. This included a six month "cooling off" period for former employees and officials.

Ellen G.I. Clark, M.D. retired from the Washoe County Medical Examiner's Office on January 4, 2017.

Due to heavily increasing caseloads (more than doubled since 2007, with an 11% increase in 2016 alone, and record case numbers in January 2017), the Washoe County Regional Medical Examiner's Office does not have sufficient forensic pathologists (Medical Examiners) to manage the volume of cases it receives, even when fully staffed. Additionally, the office currently has an Assistant Medical Examiner vacancy, leaving only the current Chief Medical Examiner and one Assistant Medical Examiner handling a

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caseload suitable for four full-time pathologists. Under this heavy caseload, a backlog of pending autopsy reports and death certificates has begun to develop.

The office utilizes several independent contractors (Locum Tenens Forensic Pathologists) to balance the caseload. All Locum Tenens must be medical doctors licensed in the state of Nevada and be board certified in forensic pathology.

There is a nationwide critical shortage of forensic pathologists. It is estimated that there are less than 500 actively practicing, board-certified forensic pathologists in the United States, most of whom have full-time jobs and are unable to travel and offer services as an independent contractor. Furthermore, Locum Tenens pathologists have been in shorter supply recently due to neighboring jurisdictions also relying heavily on their services, including Sacramento, Las Vegas, and the state of Utah.

Dr. Ellen G.I. Clark is willing to offer pathology services as an independent contractor through her company (Ellen G.I. Clark MD PC, DBA Forensic Pathology Consultants). However, the Washoe County Regional Medical Examiner's office cannot execute a contract to utilize her services, as a recently retired county employee, unless the six month "cooling off" period is waived.

#### **FISCAL IMPACT**

\$6,000 (GL 710100, Cost Center 153010). The Regional Medical Examiner's Office has sufficient budget authority to execute this Independent Contractor Agreement. It is anticipated that Dr. Clark will be able to cover approximately 6 days in late February/early March, during a time period of urgent need that cannot be covered by other locum tenens pathologists, at the standard locum tenens rate of \$1,000 per day.

#### **RECOMMENDATION**

It is recommended that the Board approve waiver of six month "cooling off" period for former employee/independent contractor agreement for Ellen G.I. Clark, M.D., with estimated Independent Contractor Agreement cost of \$6,000

#### **POSSIBLE MOTION**

If the Board agrees with the staff's recommendation, a possible motion would be: "Move to approve waiver of six month "cooling off" period for former employee/independent contractor agreement for Ellen G.I. Clark, M.D., with estimated Independent Contractor Agreement cost of \$6,000."