



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

June 17, 2016

The Honorable  
Erie County Legislature  
92 Franklin Street – Fourth Floor  
Buffalo, New York 14202

**RE: Erie County Health Department Medical Examiner's Office - Capital Project Supplement**

Dear Honorable Members:

The Medical Examiner's Office is requesting a \$25,000 supplement to 2016 Capital Project 'Medical Examiner Replacement of Toxicology LC-MS Instrumentation.' New technology is now on the market which would allow the Medical Examiner's Office to detect and identify fentanyl analogs without the need to design and validate custom tests for each drug.

Additional funding will allow the Medical Examiner's office to incorporate this new technology into the existing capital project, and significantly improve efficiencies when detecting these increasingly common and deadly opioids.

Should your Honorable Body require further information, I encourage you to contact Health Commissioner Gale R. Burstein, MD. Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in black ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP:bqs  
Enclosure

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Health  
**Re:** Erie County Medical Examiner's Office - Capital Project Supplemental Funding  
**Date:** June 17, 2016

---

### **SUMMARY**

Authorization is requested to transfer \$25,000 from Exemption Removal into the Medical Examiner's 2016 Budget under the Lab and Technical Equipment account to supplemental an existing capital project which was approved by this Honorable Body.

### **FISCAL IMPLICATIONS**

Budget neutral. Funding for this expanded purchase is available through a positive variance in Exemption Removal.

### **REASONS FOR RECOMMENDATION**

In the intervening months since funding was initially requested for Toxicology LC-MS instrumentation, an array of frequently changing fentanyl analogs have become common players in death investigations. A more sensitive device is necessary to detect these fentanyl analogs, which currently each require their own custom test be developed. Additional funding to allow for the purchase of the more sensitive device will be a tremendous boost to efficiency in the toxicology suite as they confront opioid crisis.

### **BACKGROUND INFORMATION**

In early spring of 2015, capital funding was initially for an ABSCIX QTRAP 4500 machine. This capital project was approved by the Capital Projects Committee and your Honorable Body as part of the 2016 Approved Erie County Budget.

Since then, due to the high volume of cases involving fentanyl analogs like acetyl fentanyl, the Medical Examiner's Office is requesting additional funding to purchase the more sensitive QTRAP 5500 device. This upgrade device has the capability of detecting and producing report on the many new fentanyl analogs which are being mixed with heroin or sold on their own. These drugs, synthetically derived in overseas laboratories, are largely responsible for the surge in opioid overdoses Erie County and the rest of the United States is experiencing.

Information on what specific fentanyl analogs are present in a victim's body or in the powder discovered at the scene of an overdose can be invaluable to law enforcement.

### **CONSEQUENCES OF NEGATIVE ACTION**

The Division of the Public Health Lab would purchase the original ABSCIX QTRAP 4500 machine and have somewhat diminished ability to handle changing workflow.

**STEPS FOLLOWING APPROVAL**

The Health Department will work with the Division of Budget and Management and the Department of Personnel to implement this request.

**A RESOLUTION SUBMITTED BY  
HEALTH DEPARTMENT**

RE: Erie County Health Department Division of Medical Examiner-Supplemental Capital Project Funding

WHEREAS, the Division of Medical Examiner is responsible for determining the cause and manner of suspicious deaths in Erie County; and

WHEREAS, complex toxicological analysis is a critical component of a comprehensive post-mortem examination; and

WHEREAS, new technology and methods move forward forensic science, providing the Medical Examiner’s Office with new tools to investigate deaths; and

WHEREAS, capital funding has already been approved for the initial project, totaling \$350,000; and

WHEREAS, budget transfers exceeding \$10,000 require the consent of your Honorable Body; and

WHEREAS, this increased funding will allow for improved efficiency and capabilities in the detection of opioids.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the following transfer

**Fund Center 14010 Countywide Accounts – Budget**

<u>SAP CODE</u>	<u>REVENUE</u>	<u>BUDGET</u>
400010	Exemption Removal	<u>\$25,000</u>
	TOTAL	<u>\$25,000</u>

**Fund Center 12740 Medical Examiner’s Division**

<u>APPROPRIATIONS</u>		
561410	Lab & Technical Equipment	<u>\$25,000</u>
	TOTAL	<u>\$25,000</u>

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Department of Personnel, the Division of Budget and Management, and to Commissioner Gale R. Burstein in the Erie County Department of Health.