



2019 SEP 16 AM 9:04

OFFICE OF THE
SECRETARY

MURIEL BOWSER

MAYOR SEP 16 2019

The Honorable Phil Mendelson, Chairman
Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, N.W., Suite 504
Washington, D.C. 20004

Dear Chairman Mendelson,

Enclosed for consideration and approval by the Council is the "Investigating Maternal Mortalities Amendment Act of 2019." This bill would require the Chief Medical Examiner to investigate all maternal mortalities that occur in the District of Columbia, including pregnancy-associated, pregnancy-related deaths. The bill will also allow the Chief Medical Examiner to investigate severe maternal morbidity following an unexpected outcome of labor and delivery that results in significant short-term consequences or long-term consequences to a woman's health that include at least one of the twenty-one specific morbidity indicators specified by the U.S. Centers for Disease Control and Prevention. This amendment is also necessary to implement efforts to reduce maternal mortalities by providing better and more timely data to the Maternal Mortality Review Committee, established by section 3 of the Maternal Mortality Review Committee Establishment Act of 2018 (D.C. Law 22-111; D.C. Official Code §7-617.02).

The Centers for Disease Control estimates that about half of all maternal deaths in the United States are preventable. Allowing the Chief Medical Examiner to conduct public health surveillance on all pregnancy-associated and pregnancy-related deaths, and those resultant from severe maternal morbidity, will ensure that the cause and manner of death is accurately recorded and reflected in the vital statistics reporting, at the local and national level. This will also help identify characteristics of individuals most at risk, in an effort to prevent devastating pregnancy outcomes, including death, for District residents.


I urge the Council to take prompt and favorable action on the enclosed bill.

Sincerely,

A handwritten signature in black ink that reads "Muriel Bowser".

Muriel Bowser

Enclosure


Chairman Phil Mendelson at
the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following bill, which was referred to the Committee on _____.

To amend the Establishment of the Office of the Chief Medical Examiner Act of 2000 to require the Chief Medical Examiner to investigate all maternal mortalities occurring in the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as “Investigating Maternal Mortalities Amendment Act of 2019.”

Sec. 2. Section 2906 of the Establishment of the Office of the Chief Medical Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1405), is amended as follows:

(a) Subsection (b) is amended as follows:

(1) Paragraph (11) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (12) is amended by striking the period at the end and inserting the phrase “; and” in its place.

(3) A new paragraph (13) is added to read as follows:

“(13) All maternal mortalities.”.

(b) A new subsection (b-1) is added to read as follows:

1 “(b-1) For purposes of this section:

2 “(1) “Maternal mortalities” means pregnancy-associated deaths and pregnancy-
3 related deaths, as defined in section 2 of the Maternal Mortality Review Committee
4 Establishment Act of 2018, effective June 5, 2018 (D.C. Law 22-111; D.C. Official Code § 7-
5 671.01), and deaths resulting from severe maternal morbidity.

6 “(2) “Severe maternal morbidity” means one of the following outcomes of labor
7 and delivery that results in short-term or long-term consequences to a woman’s health:

- 8 “(A) Acute myocardial infarction;
- 9 “(B) Acute renal failure;
- 10 “(C) Adult respiratory distress syndrome;
- 11 “(D) Air and thrombotic embolism;
- 12 “(E) Amniotic fluid embolism;
- 13 “(F) Anesthesia complications;
- 14 “(G) Aneurysm;
- 15 “(H) Blood products transfusion;
- 16 “(I) Cardiac arrest/ventricular fibrillation;
- 17 “(J) Conversion of cardiac rhythm;
- 18 “(K) Disseminated intravascular coagulation;
- 19 “(L) Eclampsia;
- 20 “(M) Heart failure/arrest during surgery or procedure;
- 21 “(N) Hysterectomy;
- 22 “(O) Puerperal cerebrovascular disorders;
- 23 “(P) Pulmonary edema/acute heart failure;

- 1 "(Q) Sepsis;
- 2 "(R) Shock;
- 3 "(S) Sickle cell disease with crisis;
- 4 "(T) Temporary tracheostomy; or
- 5 "(U) Ventilation.”.

6 **Sec. 3. Fiscal Impact.**

7 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
8 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
9 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

10 **Sec. 4. Effective date.**

11 This act shall take effect following approval by the Mayor (or in the event of veto by the
12 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
13 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
14 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
15 Columbia Register.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General



ATTORNEY GENERAL
KARL A. RACINE

Legal Counsel Division

MEMORANDUM

TO: Alana Intrieri
Executive Director
Office of Policy and Legislative Affairs

FROM: Brian K. Flowers
Deputy Attorney General
Legal Counsel Division

DATE: August 9, 2019

SUBJECT: Legal Sufficiency Review – Legal Sufficiency Review – Draft Emergency,
Temporary, and Permanent Maternal Mortality Investigation Legislation
(AE-19-513)

This is to Certify that this Office has reviewed the above-referenced draft legislation and found it to be legally sufficient. If you have any questions in this regard, please do not hesitate to call me at 724-5524.

A handwritten signature in black ink, appearing to read 'B. Flowers', is written over a horizontal line.

Brian K. Flowers

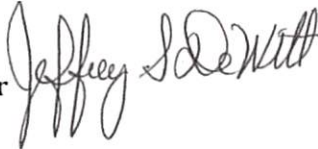
Government of the District of Columbia
Office of the Chief Financial Officer



Jeffrey S. DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeffrey S. DeWitt
Chief Financial Officer 

DATE: August 29, 2019

SUBJECT: Fiscal Impact Statement – Investigating Maternal Mortalities
Amendment Act of 2019

REFERENCE: Draft Bill as shared with the Office of Revenue Analysis on August 9,
2019

Conclusion

Funds are sufficient in the fiscal year 2019 budget and the fiscal year 2020 through fiscal year 2023 budget and financial plan to implement the bill.

Background

The Office of the Chief Medical Examiner (OCME) is required to investigate certain deaths that occur in the District, including violent deaths, unexplained deaths, those that occur under suspicious circumstances, deaths related to diseases that are potential threats to public health, and others specified in District law.¹ When deaths occur, they are referred to OCME's forensic investigations unit and then, if necessary, referred to an OCME physician for further examination.

¹ Establishment of the Chief Medical Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1405).

The Honorable Phil Mendelson

FIS: "Investigating Maternal Mortalities Amendment Act of 2019," Draft Bill as shared with the Office of Revenue Analysis on August 9, 2019

The bill expands OCME's required death investigations to include all maternal mortalities. The bill defines maternal mortalities as both deaths that are pregnancy-associated or -related and those resulting from severe maternal morbidity.²

Financial Plan Impact

Funds are sufficient in the fiscal year 2019 budget and the fiscal year 2020 through fiscal year 2023 budget and financial plan to implement the bill. In 2018, the District had a maternal mortality rate of approximately 36 deaths per 100,000 births³ with approximately 9,800 births to District residents.⁴ OCME additionally believes there are no more than a dozen maternal deaths that are not reported to the agency annually. OCME's current team of approximately fourteen forensic investigators and seven forensic pathologists can manage any additional investigations and examinations that may be required.⁵

² Severe maternal morbidity is an outcome of labor and delivery that has short- or long-term consequences to a woman's health. This can include, but is not limited to, acute renal failure, amniotic fluid embolism, aneurysm, cardiac arrest, eclampsia, heart failure, sepsis, or temporary tracheostomy.

³ America's Health Rankings, United Health Foundation, Maternal Mortality, District of Columbia, 2018 (https://www.americashealthrankings.org/explore/health-of-women-and-children/measure/maternal_mortality/state/DC).

⁴ United States Census, Annual Estimates of the Components of Population Change: July 1, 2017 to July 1, 2018.

⁵ Pathologists can manage up to 250 autopsies annually to be in line with National Association of Medical Examiner standards and the seven on staff at OCME manage 200-220 annually.