



"Enriching Lives"

COUNTY OF LOS ANGELES
DEPARTMENT OF MEDICAL EXAMINER
1104 N. MISSION RD, LOS ANGELES, CALIFORNIA 90033



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Chief Medical Examiner

April 7, 2026

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**RECOMMENDATION TO PROVIDE LEGAL REPRESENTATION FOR A FORMER SENIOR
PHYSICIAN PATHOLOGY – FORENSIC MEDICAL DIRECTOR, MEDICAL EXAMINER
EMPLOYED BY THE DEPARTMENT OF MEDICAL EXAMINER FOR ADMINISTRATIVE
PROCEEDINGS BROUGHT BY THE CALIFORNIA MEDICAL BOARD
(ALL DISTRICTS) (3 VOTES)**

SUBJECT

Request to provide legal representation for a former Senior Physician Pathology – Forensic, currently employed as the Department of Medical Examiner's (DME) Medical Director, Medical Examiner for an administrative proceeding brought by the Medical Board of California ("MBC").

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the administrative proceeding involving a former DME Senior Physician Pathology – Forensic performing the duties of Medical Director, Medical Examiner, is brought on account of alleged acts or omissions performed in the scope of the former DME Senior Physician Pathology – Forensics' employment as an employee of the County of Los Angeles ("County").
2. Find that the defense of the former Senior Physician, Pathology – Forensic, would be in the best interest of the County.
3. Find that the former Senior Physician, Pathology - Forensic, acted in good faith, without malice, and in the apparent interest of the County.
4. Direct County Counsel to secure legal representation or authorize reimbursement for attorneys' fees incurred, at the County's expense, for the former DME Senior Physician Pathology – Forensic.

Accreditations:

*National Association of Medical Examiners
California Medical Association-Continuing Medical Education*

*Accreditation Council for Graduate Medical Education
Peace Officer Standards and Training Certified*

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The DME seeks the Board of Supervisors' ("Board") approval of this recommendation to provide legal representation for one former Senior Physician Pathology - Forensic who was requested to respond to an MBC inquiry regarding the care and treatment of a decedent. It is alleged that the former Senior Physician, Pathology - Forensic, conducted an autopsy that resulted in egregious inaccuracies.

County Counsel has reviewed the facts and circumstances surrounding this case. This former DME Senior Physician, Pathology - Forensic, has worked for the County for several years. At the time of the occurrence of the specific allegations and at the time of the filing of the complaint with MBC, the former DME Senior Physician Pathology - Forensic was employed with the County and acting within the course and scope of employment. County Counsel's review reveals no indication that this former DME Senior Physician Pathology - Forensic acted in bad faith or with malice. Rather, it appears that this former DME Senior Physician Pathology - Forensic acted in apparent good faith and in the apparent interests of the County. Therefore, it appears that the defense of this employee would be in the best interests of the County.

FISCAL IMPACT/FINANCING

The costs for providing legal representation for this Senior Physician Pathology - Forensic to date are approximately \$9,000. If this matter were to proceed to hearing, additional costs of up to \$33,000 may be incurred totaling \$42,000. Funds will be allocated from the DME's existing operating budget. If the costs increase, funding will continue to be allocated from the DME's operating budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Government Code Section 995.6 provides that the County is not required to provide for the defense of an administrative proceeding brought against a County employee, but the County may provide for such defense if:

- The administrative proceeding is brought on account of an act or omission in the scope of his employment as an employee of the public entity; and
- The public entity determines that such defense would be in the best interests of the public entity and that the employee acted, or failed to act, in good faith, without actual malice, and in the apparent best interests of the public entity.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There is no impact on current services or projects.

CONCLUSION

Based on County Counsel's review of the facts and circumstances, the DME recommends that the Board find the former DME Senior Physician Pathology - Forensic acted in apparent good faith, without actual malice, and in the apparent interests of the County, and this employee's representation before the MBC is in the best interests of the County. The DME further recommends that the Board direct County Counsel to secure legal representation for this employee at the County's expense.

Respectfully submitted,



Odey C. Ukpo, M.D., M.S.,
Chief Medical Examiner

OCU:NHS:nhs

c: Executive Office, Board of Supervisors
Chief Executive Office
County Counsel