By RICHARD SEVERO

Last Monday evening, Dr. Kevin Cahill, Governor Carey's special assistant for health affairs, was having a chat in Manhattan with Mayor Koch and remarked that he was impressed with the work of Dr. Michael Baden, the city's acting Chief Medical Examiner. Dr. Cahill praised Dr. Baden as "absolutely first rate," he confirmed later.

The Mayor reportedly responded, "Too bad, because I've already made the decision to fire him." At a City Hall press conference the next day, the Mayor made it public: The provisional appointment of Dr. Baden would not be made permanent and the city would move quickly to appoint another Chief Medical Examiner.

In the following days, the Baden case became about as clear-as a subplot in "I, Claudius," with many observers convinced that the ouster was part of a political arrangement between the Mayor and Manhattan District Attorney Robert Morgenthau.

The Mayor insists there is no deal.

The ostensible reason for the ouster was criticism contained in letters the Mayor had received from Mr. Morgenthau and Dr. Reinaldo A. Ferrer, the Health Commissioner. The Mayor had asked for evaluations from the city's five district attorneys, he said, so that he could decide if Dr. Baden could have the post permanently. Four of them had high praise for Dr. Baden and backed the appointment. But Mr. Morgenthau said there was widespread "dissatisfaction" in his office about the way Dr. Baden ran things. And Dr. Ferrer, who was not asked for criticism but volunteered it, agreed with Mr. Morgenthau that Dr. Baden had not done a good job.

According to one theory being discussed last week, Mr. Morgenthau's reservations about Dr. Baden were inspired by a desire to control the criminal justice system in New York. Those who advanced the theory said that Police Commissioner Robert J. McGurie supported the District Attorney, but they also believed that Mr. Morgenthau could not resist a possible opportunity to control the Medical Examiner, whose testimony on important cases can spell success or failure for a prosecutor.

But perhaps the most serious allegation against Dr. Baden was contained in Dr. Ferrer's letter. It said that Dr. Baden spoke at Lenox Hill Hospital on Feb. 3 and presented "details not previously presented in such fashion as to indicate" that former Governor Rockefeller "had died during sexual intercourse." But when the hospital was questioned, it turned out that Dr. Baden had been there on Feb. 9, not Feb. 3.

The furor over who would succeed him and a deteriorating relationship between Dr. Baden and Mrs. Helpern did not make the succession easy or auspicious, but it still does not totally explain the present crisis of the Medical Examiner.

Of the Medical Examiner

An Autopsy on the Dismissal
Charges, Countercharges and Riddles Surround the Baden Case

THE NEW YORK TIMES, SUNDAY, AUGUST 5, 1979

Dr. Michael M. Baden

In 1965, Michael Baden started working under the direction of Dr. Helpern at New York University and Dr. Helpern was the most famous forensic pathologist in the country. In those days, Dr. Helpern was regarded as being羽

By the late 1960's, however, there were the beginnings of a rift. Dr. Helpern did not approve of the fact that Dr. Baden's wife, Dr. Judith A. Densen-Gerber, was running a large drug-rehabilitation program and at times was outspoken in criticism of state and federal drug policies. Dr. Helpern refused to name the source of his information, saying through his spokesman that it would be "unethical" because he might be sued by Dr. Baden. At his Thursday press conference, the Mayor said that just because some of the allegations might be untrue, it would not be enough to make him re-evaluate his decision. "It is not only a question of the factual issues in the complaints. It is a question of judgment, of temperament."

Here was the riddle. Why would the Mayor ignore the advice of four district attorneys and listen to only one? Why would he skip lightly around the apparent factual errors in the allegations? The Mayor was offering no answers.

But to some observers, the dynamics of the present controversy may well have their origins in the 1960's, during the tenure of Dr. Baden's celebrated predecessor, Dr. Helpern. In those days, Dr. Helpern was regarded as greatly competent and completely independent, calling his shots without regard for political consequences. In 1965, Michael Baden started working under the direction of Dr. Helpern at New York University and Dr. Helpern was the most famous forensic pathologist in the country. In those days, Dr. Helpern was regarded as being羽

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