

HB 1153 -- DRUG OVERDOSE FATALITY REVIEW TEAMS

SPONSOR: Shawan

This bill allows each county, or groups of two or more counties, to establish a drug overdose fatality review team, which will attempt to prevent drug overdose deaths.

The local team promotes cooperation and coordination among agencies for investigations of drug overdose deaths and providing services to families. The local team works to develop an understanding of the causes and incidences of drug overdose deaths and develop plans for changes within agencies and the Department of Health and Senior Services to prevent drug overdose deaths.

The local team must meet at least quarterly collect data and provide reports to the department. The team may investigate records of a person convicted of a crime that causes a death or near fatality.

The bill states that the local team must, upon request, be provided certain information from health care providers, law enforcement, medical examiners, and state and local agencies. Treatment records are subject to limitations on disclosure.

Meetings of the local team are open to the public and subject to Sunshine Law requests, except when the team is discussing individual cases of overdose, or when discussing information that identifies a deceased individual, an individual who has experienced an overdose, a family member of a deceased individual or individual who has experienced an overdose, or an individual convicted of a crime. A person who discloses confidential information is guilty of a misdemeanor. Statistical compilations of data and reports that do not contain any information that would identify an individual are public records.

Members of a local team and persons who present information to a local team cannot be questioned in any civil or criminal proceeding about information presented in a local team meeting, unless the information is obtained independently of the local team meeting and information, documents, or records of the local team are not subject to subpoena or discovery in any civil or criminal proceeding. However, information, documents, or records otherwise available from other sources are not immune from subpoena or discovery solely because they were presented during the proceedings of a local team. A person who violates these provisions is guilty of a misdemeanor.