

62A-16-202 Fatality Review Committee for a deceased individual who was not a resident of the Utah State Hospital or the Utah State Developmental Center.

- (1) Except for a fatality review committee described in Section 62A-16-203, the fatality review coordinator shall organize a fatality review committee for each formal fatality review that is ordered to be conducted under Subsection 62A-16-201(6).
- (2) Except as provided in Subsection (5), a committee described in Subsection (1):
 - (a) shall include the following members:
 - (i) the department's fatality review coordinator, who shall designate a member of the committee to serve as chair of the committee;
 - (ii) a member of the board, if there is a board, of the relevant division or office;
 - (iii) the attorney general or the attorney general's designee;
 - (iv)
 - (A) a member of the management staff of the relevant division or office; or
 - (B) a person who is a supervisor, or a higher level position, from a region that did not have jurisdiction over the qualified individual; and
 - (v) a member of the department's risk management services; and
 - (b) may include the following members:
 - (i) a health care professional;
 - (ii) a law enforcement officer; or
 - (iii) a representative of the Office of Public Guardian.
- (3) If a death that is subject to formal review involves a qualified individual described in Subsection 62A-16-102(2)(c) or (d), the committee may also include:
 - (a) a health care professional;
 - (b) a law enforcement officer;
 - (c) the director of the Office of Guardian ad Litem;
 - (d) an employee of the division who may be able to provide information or expertise that would be helpful to the formal review; or
 - (e) a professional whose knowledge or expertise may significantly contribute to the formal review.
- (4) A committee described in Subsection (1) may also include a person whose knowledge or expertise may significantly contribute to the formal review.
- (5) A committee described in this section may not include an individual who was involved in, or who supervises a person who was involved in, the fatality.
- (6) Each member of a committee described in this section who is not an employee of the department shall sign a form, created by the department, indicating that the member agrees to:
 - (a) keep all information relating to a fatality review confidential; and
 - (b) not release any information relating to a fatality review, unless required or permitted by law to release the information.

Enacted by Chapter 239, 2010 General Session