

## H.B. 86

### DEPARTMENT OF HUMAN SERVICES - REVIEW AND OVERSIGHT

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

JANUARY 26, 2010 12:00 PM

Representative **Rebecca D. Lockhart** proposes the following amendments:

1. Page 2, Line 37:

37 meeting, certain fatality review reports;

**▶ prohibits the discovery or admission of documents and testimony related to a fatality review report in a civil, judicial, or administrative proceeding;**

2. Page 18, Lines 545 through 549:

545 (6) (a) **As used in this Subsection (6), "fatality review document" means any document created in connection with, or as a result of, a fatality review or a decision whether to conduct a fatality review, including:**

**(i) a report described in Subsection (1);**

**(ii) a response described in this section;**

**(iii) a recommendation regarding whether a fatality review should be conducted;**

**(iv) a decision to conduct a fatality review;**

**(v) notes of a person who participates in a fatality review;**

**(vi) notes of a person who reviews a fatality review report;**

**(vii) an executive summary described in Subsection 62A-16-302(4);**

**(viii) minutes of a fatality review;**

**(ix) minutes of a meeting where a fatality review report is reviewed; and**

**(x) minutes of, documents received in relation to, and documents generated in relation to, the portion of a meeting of the Health and Human Services Interim Committee or the Child Welfare Legislative Oversight Panel that a fatality review report or a document described in this Subsection (6)(a) is reviewed or discussed.**

**{ A report described in Subsection (1) and each response described in this section }**

**(b) A fatality review document** is

546 not subject to discovery, subpoena, or similar compulsory process in any civil, judicial, or  
547 administrative proceeding, nor shall any individual or organization with lawful access to the  
548 data be compelled to testify with regard to a report described in Subsection (1) or a response  
549 described in this section.

**(c) A fatality review document is not admissible as evidence in a civil, judicial, or administrative proceeding.**