

62A-16-201 Initial review.

- (1) Within seven days after the day on which the department knows that a qualified individual has died, a person designated by the department shall:
 - (a) complete a deceased client report form, created by the department; and
 - (b) forward the completed client report form to the director of the office or division that has jurisdiction over the region or facility.
- (2) The director of the office or division described in Subsection (1) shall, upon receipt of a deceased client report form, immediately provide a copy of the form to:
 - (a) the executive director; and
 - (b) the fatality review coordinator or the fatality review coordinator's designee.
- (3) Within 10 days after the day on which the fatality review coordinator or the fatality review coordinator's designee receives a copy of the deceased client report form, the fatality review coordinator or the fatality review coordinator's designee shall request a copy of all relevant department case records regarding the individual who is the subject of the deceased client report form.
- (4) Each person who receives a request for a record described in Subsection (3) shall provide a copy of the record to the fatality review coordinator or the fatality review coordinator's designee, by a secure method, within seven days after the day on which the request is made.
- (5) Within 30 days after the day on which the fatality review coordinator or the fatality review coordinator's designee receives the case records requested under Subsection (3), the fatality review coordinator, or the fatality review coordinator's designee, shall:
 - (a) review the deceased client report form, the case files, and other relevant information received by the fatality review coordinator; and
 - (b) make a recommendation to the director of the Office of Services Review regarding whether a formal fatality review should be conducted.
- (6)
 - (a) In accordance with Subsection (6)(b), within seven days after the day on which the fatality review coordinator or the fatality review coordinator's designee makes the recommendation described in Subsection (5)(b), the director of the Office of Services Review or the director's designee shall determine whether to order that a formal fatality review be conducted.
 - (b) The director of the Office of Services Review or the director's designee shall order that a formal fatality review be conducted if:
 - (i) at the time of death, the qualified individual is:
 - (A) an individual described in Subsection 62A-16-102(2)(a) or (b), unless:
 - (I) the death is due to a natural cause; or
 - (II) the director of the Office of Services Review or the director's designee determines that the death was not in any way related to services that were provided by, or under the direction of, the department or a division of the department; or
 - (B) a child in foster care or substitute care, unless the death is due to:
 - (I) a natural cause; or
 - (II) an accident;
 - (ii) it appears, based on the information provided to the director of the Office of Services Review or the director's designee, that:
 - (A) a provision of law, rule, policy, or procedure relating to the deceased individual or the deceased individual's family may not have been complied with;
 - (B) the fatality was not responded to properly;
 - (C) a law, rule, policy, or procedure may need to be changed; or
 - (D) additional training is needed;

- (iii) the death is caused by suicide; or
- (iv) the director of the Office of Services Review or the director's designee determines that another reason exists to order that a formal fatality review be conducted.

Amended by Chapter 343, 2011 General Session