

**Representative Steve Eliason** proposes the following substitute bill:

**OVERDOSE AND SUICIDE FATALITY REVIEW AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Steve Eliason**

Senate Sponsor: Evan J. Vickers

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**LONG TITLE**

**General Description:**

This bill creates a new position in the Office of the Medical Examiner and creates the Opioid and Overdose Fatality Review Committee.

**Highlighted Provisions:**

This bill:

- ▶ creates the position of an overdose and suicide fatality examiner within the Office of the Medical Examiner;
- ▶ creates the Opioid and Overdose Fatality Review Committee within the Department of Health; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

This bill appropriates in fiscal year 2020:

- ▶ to Department of Health -- Disease Control and Prevention, as an ongoing appropriation:
  - from General Fund, ~~H→~~ ~~[\$645,000]~~ \$675,000 ~~←H~~ .
- ▶ to Department of Health -- Disease Control and Prevention, as a one-time appropriation:
  - from General Fund, One-time \$145,000.

**1st Sub. H.B. 58**



57 (b) "Opioid overdose death" means a death primarily caused by opioids or another  
 58 substance that closely resembles opioids.

59 (2) The department shall establish the Opioid and Overdose Fatality Review  
 60 Committee.

61 (3) The executive director of the department shall appoint a committee coordinator.

62 (4) The committee shall consist of:

63 (a) the attorney general, or the attorney general's designee;

64 (b) a state, county, or municipal law enforcement officer;

65 (c) the manager of the department's Violence Injury Program, or the manager's  
 66 designee;

67 (d) an emergency medical services provider;

68 (e) a representative from the Office of the Medical Examiner;

69 (f) a representative from the Division of Substance Abuse and Mental Health;

70 (g) a representative from the Office of Vital Records;

71 (h) a representative from the Office of Health Care Statistics;

72 (i) a representative from the Division of Occupational and Professional Licensing;

73 (j) a healthcare professional who specializes in the prevention, diagnosis, and treatment  
 74 of substance use disorder;

75 (k) a representative from a state or local jail or detention center;

76 (l) a representative from the Department of Corrections;

77 (m) a representative from Juvenile Justice Services;

78 (n) a representative from the Department of Public Safety; ~~§~~ → [and]

78a ~~§~~ → [(o) a member of the Senate appointed by the president of the Senate;

78b —— (p) a member of the House of Representatives appointed by the speaker of the House of  
 78c Representatives; and ~~←~~ ~~§~~

79 —— ~~§~~ → [(o)] (q) ~~←~~ ~~§~~ any other individual whom the committee determines is necessary to fulfill  
 79a the

80 committee's responsibilities under Subsection (7).] (o) a representative from the Commission on  
 80a Criminal and Juvenile Justice;

80b (p) a physician from a Utah-based medical center; and

80c (q) a physician from a nonprofit vertically integrated healthcare organization. ~~←~~ ~~§~~

81 (5) The department shall give the committee access to all reports, records, and other  
 82 documents, including protected health information, that are relevant to the committee's  
 83 responsibilities under Subsection (7).

84 (6) The committee coordinator may request records that are relevant to the committee's  
 85 responsibilities under Subsection (7) through Title 63G, Chapter 2, Government Records  
 86 Access and Management Act, and by subpoena. ☹

87

☛(7) The committee shall:

88 (a) conduct a multidisciplinary review of available information regarding a decedent of  
89 an opioid overdose death, which review shall include:

90 (i) consideration of the decedent's points of contact with healthcare, social services,  
91 criminal justice and other systems; and

92 (ii) identification of specific factors that put the individual at risk for opioid overdose;

93 (b) promote cooperation and coordination among government entities involved in  
94 opioid misuse, abuse, or overdose prevention;

95 (c) develop an understanding of the causes and incidence of opioid overdose deaths in  
96 the state;

97 (d) make recommendations for changes to law or policy that may prevent opioid  
98 overdose deaths;

99 (e) inform public health and public safety entities of emerging trends in opioid  
100 overdose deaths;

101 (f) monitor overdose trends on non-opioid overdose deaths; and

102 (g) review non-opioid overdose deaths in the manner described in Subsections (7)(a)  
103 through (7)(e), when the committee determines that there are a substantial number of overdose  
104 deaths in Utah caused by the use of a non-opioid.

105 (8) A committee may interview a staff member, a provider, or any other person who  
106 may have knowledge or expertise that is relevant to the review of an opioid overdose death.

107 (9) A majority vote of committee members present constitutes the action of the  
108 committee.

109 (10) Each committee member and each individual granted access to a committee  
110 proceeding shall sign a confidentiality agreement, created by the department, indicating that the  
111 individual agrees to:

112 (a) keep confidential all information relating to the review of an opioid overdose death;  
113 and

114 (b) not release any information relating to the review of an opioid overdose death,  
115 unless required or permitted by law to release the information.

116 (11) The committee ~~shall~~ may ~~meet~~ ~~at least~~ up to ~~eight~~ times each  
116a year.

117 (12) Committee meetings are closed to the public.

118 (13) The committee shall record minutes of committee meetings.

119 Section 3. **Appropriation.**

120 The following sums of money are appropriated for the fiscal year beginning July 1,  
121 2019, and ending June 30, 2020. These are additions to amounts previously appropriated for  
122 fiscal year 2020. Under the terms and conditions of ~~§~~ → [title] Title ← ~~§~~ 63J, Chapter 1, Budgetary  
122a Procedures  
123 Act, the Legislature appropriates the following sums of money from the funds or accounts  
124 indicated for the use and support of the government of the state of Utah.

125 ITEM 1

126 To Department of Health -- Disease Control and Prevention

127 From General Fund \$675,000

128 From General Fund, One-time \$145,000

129 Schedule of Programs:

130 Office of the Medical Examiner \$820,000

131 The Legislature intends that appropriations provided under this section be used by the  
132 Office of the Medical Examiner to carry out the requirements described in Section 26-4-30 and  
133 to investigate other suicide and drug-related deaths.