

# HB0455S01 compared with HB0455

~~{deleted text}~~ shows text that was in HB0455 but was deleted in HB0455S01.

inserted text shows text that was not in HB0455 but was inserted into HB0455S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Raymond P. Ward proposes the following substitute bill:

## OVERDOSE AND SUICIDE FATALITY REVIEW

### MODIFICATIONS

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Raymond P. Ward**

Senate Sponsor: \_\_\_\_\_

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#### LONG TITLE

##### General Description:

This bill addresses reviews of an overdose or suicide-related fatality.

##### Highlighted Provisions:

This bill:

- ▶ requires certain health care facilities and treatment programs to conduct an internal review of a patient's overdose or suicide that occurs within a certain time period after discharge;
- ▶ requires the overdose fatality examiner and psychological autopsy examiner to ~~{~~ provide notice to, and request ~~{ discharge }~~ information from ~~{ a }~~ the health care ~~{ facility or }~~ facilities and treatment ~~{ program if the deceased died within a~~

## HB0455S01 compared with HB0455

~~certain time period after release; and~~

~~develop and distribute a form to be used to obtain the discharge information}~~ programs; and

- ▶ makes technical and conforming changes.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

**26-4-28.5**, as enacted by Laws of Utah 2017, Chapter 346

**26-4-30**, as enacted by Laws of Utah 2020, Chapter 201

### ENACTS:

**26-21-36, Utah Code Annotated 1953**

**62A-2-126, Utah Code Annotated 1953**

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **26-4-28.5** is amended to read:

**26-4-28.5. Psychological autopsy examiner.**

(1) [~~With~~] Within funds appropriated by the Legislature for this purpose, the department shall provide compensation, at a standard rate determined by the department, to a psychological autopsy examiner.

(2) The psychological autopsy examiner shall:

(a) work with the medical examiner to compile data regarding suicide related deaths;

(b) as relatives of the deceased are willing, gather information from relatives of the deceased regarding the psychological reasons for the [~~decedent's~~] deceased's death;

(c) maintain a database of information described in Subsections (2)(a) and (b);

(d) in accordance with all applicable privacy laws subject to approval by the department, share the database described in Subsection (2)(c) with the University of Utah Department of Psychiatry or other university-based departments conducting research on suicide;

## HB0455S01 compared with HB0455

(e) coordinate no less than monthly with the suicide prevention coordinator described in Subsection 62A-15-1101(2); ~~[and]~~

(f) coordinate no less than quarterly with the state suicide prevention coalition~~[-];~~ and

(g) if the psychological autopsy examiner determines the deceased was discharged from a health care facility or mental health treatment program within 30 days before the day on which the deceased died, request information from the health care facility or mental health treatment program regarding the deceased's discharge plan; and

~~\_\_\_\_\_ (h) develop a form to obtain the information described in Subsection (2)(g) that includes:~~

~~\_\_\_\_\_ (i) a place for a description of:~~

~~\_\_\_\_\_ (A) the deceased's condition upon arrival at the health care facility or mental health treatment program;~~

~~\_\_\_\_\_ (B) the reason for the deceased's visit to the health care facility or mental health treatment program;~~

~~\_\_\_\_\_ (C) the deceased's length of stay at the health care facility or mental health treatment program; and~~

~~\_\_\_\_\_ (D) the deceased's condition upon discharge from the health care facility or mental health treatment program;~~

~~\_\_\_\_\_ (ii) an indication of:~~

~~\_\_\_\_\_ (A) whether the deceased had a discharge plan upon discharge from the health care facility or mental health treatment program;~~

~~\_\_\_\_\_ (B) whether the deceased's discharge plan included mental health treatment; and~~

~~\_\_\_\_\_ (C) if; notify the facility or program of the deceased's ~~discharge plan included mental health treatment, whether the health care facility or mental health treatment program took steps to ensure the deceased had access to mental health treatment upon discharge; and~~~~

~~\_\_\_\_\_ (iii) distribute the form described in Subsection (2)(h) to health care facilities and mental health treatment programs in the state; death and request the facility or program conduct a review, and provide written confirmation of completion of the review, under Section 26-21-36 or 62A-2-626.~~

Section 2. Section ~~26-4-30~~ is amended to read:

**26-4-30. Overdose fatality examiner.**

## HB0455S01 compared with HB0455

(1) Within funds appropriated by the Legislature, the department shall provide compensation, at a standard rate determined by the department, to an overdose fatality examiner.

(2) The overdose fatality examiner shall:

(a) work with the medical examiner to compile data regarding overdose and opioid related deaths, including:

(i) toxicology information;

(ii) demographics; and

(iii) the source of opioids or drugs;

(b) as relatives of the deceased are willing, gather information from relatives of the deceased regarding the circumstances of the decedent's death;

(c) maintain a database of information described in Subsections (2)(a) and (b);

(d) coordinate no less than monthly with the suicide prevention coordinator described in Section 62A-15-1101; ~~and~~

(e) coordinate no less than quarterly with the Opioid and Overdose Fatality Review Committee created in Section 26-7-13[-]; and

(f) if the overdose fatality examiner determines the deceased was discharged from a health care facility or substance use treatment program within 30 days before the day on which the deceased died, ~~request information from~~ notify the facility or program of the deceased's death and request the facility or program conduct a review, and provide written confirmation of completion of the review, under Section 26-21-36 or 62A-2-626.

Section 3. Section 26-21-36 is enacted to read:

**26-21-36. Review of overdose or suicide -- Notice from overdose fatality examiner or psychological autopsy examiner.**

(1) A health care facility shall conduct a review of the care provided to a patient if the health care facility determines the patient died by overdose or suicide within 30 days after the day on which the patient was discharged from:

(a) the health care facility's emergency room; or

(b) an inpatient mental health or substance use treatment program ~~regarding the deceased's discharge plan;~~

~~(g) develop a form to obtain the information;~~ provided by the health care facility.

## HB0455S01 compared with HB0455

(2) The review described in Subsection (2)(f)1 that includes:

~~(i) a place for a description of:~~

~~(A) the deceased's condition upon arrival at the health care facility or substance use treatment program;~~

~~(B) the reason for the deceased's visit to the health care facility or substance use treatment program;~~

~~(C) the deceased's length of stay at the health care facility or substance use treatment program; and~~

~~(D) the deceased's condition upon discharge from the health care facility or substance use treatment program; and~~

~~(ii) an indication of:~~

~~(A) whether the deceased had a discharge plan upon discharge from the health care facility or substance use treatment program;~~

~~(B) whether the deceased's~~ shall evaluate:

(a) the patient's discharge plan ~~included substance use disorder treatment; and~~

~~(C) if the deceased's;~~

(b) whether follow-up health care or treatment was arranged for the patient after discharge;

(c) whether the patient completed the discharge plan ~~included substance use disorder~~ and follow-up care or treatment ~~;~~;

(d) whether the health care facility followed the health care facility's policy for creation and execution of the discharge plan; and

(e) whether a change to the health care facility's policy is necessary to improve positive outcomes for patients after discharge.

(3) A health care facility shall provide the psychological autopsy examiner or overdose fatality examiner written confirmation of completion of the review under Subsection (1) within 30 days after the day on which the psychological autopsy examiner or overdose fatality examiner requests the confirmation under Subsection 26-4-28.5(2)(g) or 26-4-30(2)(f).

Section 4. Section 62A-2-126 is enacted to read:

62A-2-126. Review of overdose or suicide -- Notice from overdose fatality examiner or psychological autopsy examiner.

## HB0455S01 compared with HB0455

(1) As used in this section, "treatment provider" means a public or private agency that:

(a) provides mental health or substance use treatment; and

(b) is licensed under this chapter or under contract with the department to provide the mental health or substance use treatment.

(2) A treatment provider shall conduct a review of the care provided to a patient if the provider determines the patient died by overdose or suicide within 30 days after the day on which the patient was discharged from inpatient mental health or substance use treatment {program took steps to ensure the deceased had access to substance use disorder treatment upon discharge; and

~~(h) distribute the form}~~ provided by the treatment provider.

(3) The review described in Subsection (2) shall evaluate:

~~(g) to health care facilities and substance use treatment programs in the state.~~

~~h~~a) the patient's discharge plan;

(b) whether follow-up health care or treatment was arranged for the patient after discharge;

(c) whether the patient completed the discharge plan and follow-up care or treatment;

(d) whether the treatment provider followed the treatment provider's policy for creation and execution of the discharge plan; and

(e) whether a change to the treatment provider's policy is necessary to improve positive outcomes for patients after discharge.

(4) A treatment provider shall provide the psychological autopsy examiner or overdose fatality examiner written confirmation of completion of the review under Subsection (2) within 30 days after the day on which the psychological autopsy examiner or overdose fatality examiner requests the confirmation under Subsection 26-4-28.5(2)(g) or 26-4-30(2)(f).