ASSEMBLY, No. 5059

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED FEBRUARY 14, 2019

Sponsored by:

Assemblyman ANTHONY S. VERRELLI
District 15 (Hunterdon and Mercer)
Assemblywoman VALERIE VAINIERI HUTTLE
District 37 (Bergen)
Assemblyman JOHN ARMATO
District 2 (Atlantic)

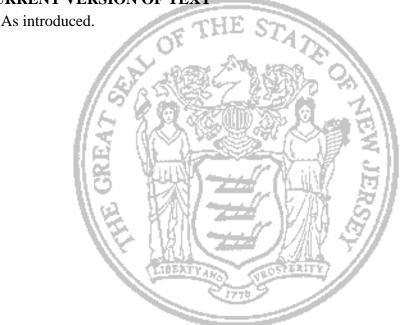
Co-Sponsored by:

Assemblyman Mazzeo, Assemblywoman Murphy and Assemblyman Benson

SYNOPSIS

Establishes local drug overdose fatality review teams in each county in State.

CURRENT VERSION OF TEXT



(Sponsorship Updated As Of: 6/18/2019)

1 AN ACT regarding drug overdoses and supplementing Title 26 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

- 1. a. The Commissioner of Health shall establish a local drug overdose fatality review team for each county in this State. A local drug overdose fatality review team may be assigned to one or more counties where practicable. Each local drug overdose fatality review team shall elect a chairman to administer a process of review and enact and implement a standard protocol for the collection and maintenance of data that shall be consistent with all teams.
- b. Local drug overdose fatality review teams shall consist of individuals with experience and knowledge regarding health, social services, law enforcement, education, emergency medicine, mental health, juvenile delinquency, and drug and alcohol abuse.
- c. All participants shall disclose to the commissioner all related records of a deceased individual, whose death has been determined to be the result of a drug overdose, including information and records related to physical health, mental health, and treatment for substance abuse that are maintained by a health care provider, and provide access to information and records maintained by a State or local government agency, including death certificates, law enforcement information, medical examiner information, parole and probation information, social service information and educational information. The commissioner shall transfer the records to the local drug overdose fatality review team assigned to the county in which the individual's death occurred.
 - d. Each local drug overdose fatality review team shall:
 - (1) develop methods to help prevent drug overdoses;
- (2) explore methods to promote cooperation among multidisciplinary agencies in providing services to individuals with substance use disorders;
 - (3) develop an understanding of the causes of drug overdoses;
- (4) recommend possible changes to law and policy to prevent drug overdoses; and
- (5) meet at least quarterly to review drug overdose cases submitted to the commissioner pursuant to this section, as well as available criminal, educational, substance abuse, and mental health records of the deceased individuals.
 - e. As used in this section:

"Drug overdose" means an acute condition including, but not limited to, physical illness, coma, mania, hysteria, or death resulting from the consumption or use of a controlled dangerous substance or another substance with which a controlled dangerous substance was combined and that a layperson would reasonably believe to require medical assistance.

A5059 VERRELLI, VAINIERI HUTTLE

3

Names and individual identification data collected pursuant to the provisions of this act shall not be disclosed by the Commissioner of Health or a local drug overdose fatality review team member unless required by law, and nothing in this act shall be construed to require disclosure of any private or confidential health information in violation of State or federal privacy laws.

7

9

10

11

12

3. The Commissioner of Health, in collaboration with each local drug overdose fatality review team, shall report any findings made pursuant to this act to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature. Local drug overdose fatality review team meetings shall be closed to the public.

131415

16

4. The Department of Health shall adopt rules and regulations, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to implement the provisions of this act.

17 18 19

5. This act shall take effect 180 days after the date of enactment.

2122

20

STATEMENT

232425

26

27

2829

30

31

32

3334

3536

37

38 39

40

41 42

43

44

45

46

47 48 This bill requires the Commissioner of Health (commissioner) to establish local drug overdose fatality review teams for each county in this State.

Under the bill, local drug overdose fatality review teams are to consist of individuals with experience and knowledge regarding health, social services, law enforcement, education, emergency medicine, mental health, juvenile delinquency, and drug and alcohol abuse. Participants are to disclose to the commissioner all related records of a deceased individual, whose death has been determined to be the result of a drug overdose, including information and records related to physical health, mental health, and treatment for substance abuse that are maintained by a health care provider, and provide access to information and records maintained by a State or local government agency, including death certificates, law enforcement information, medical examiner information, parole and probation information, social service information and educational information. The commissioner is to transfer the records to the local drug overdose fatality review team assigned to the county in which the individual's death occurred.

The bill provides that each local drug overdose fatality review team is to: (1) develop methods to help prevent drug overdoses; (2) explore methods to promote cooperation among multi-disciplinary agencies in providing services to individuals with substance use disorders; (3) develop an understanding of the causes of drug

A5059 VERRELLI, VAINIERI HUTTLE

4

- 1 overdoses; (4) recommend possible changes to law and policy to
- 2 prevent drug overdoses; and (5) meet at least quarterly to review
- 3 drug overdose cases submitted to the commissioner, as well as
- 4 available criminal, educational substance abuse, and mental health
- 5 records of the deceased individuals.