

# SENATE HEALTH, HUMAN SERVICES AND SENIOR CITIZENS COMMITTEE

## STATEMENT TO **SENATE, No. 2929**

with committee amendments

# STATE OF NEW JERSEY

DATED: JUNE 17, 2019

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 2929.

As amended by the committee, 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 would 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.

As amended by the committee, the bill provides that the commissioner would be required to develop a mandatory reporting process for health care practitioners, medical examiners, hospitals, emergency medical services providers, local health departments, law enforcement agencies, substance use disorder treatment programs, and relevant social services agencies to confidentially report to the Department of Health (DOH) on individual cases of drug overdose death.

DOH would be required to keep a record of all reports of drug overdose death submitted through the reporting processes. The reports would contain records related to a deceased individual, whose death has been determined to be the result of a drug overdose, that would include, but not be limited to: the individual's age, race, gender, county of residence, and county of death; the date, manner, cause, and specific circumstances of the overdose death; any relevant information and records maintained by a health care provider related to the individual's physical health, mental health, and substance use disorder treatment, if applicable, if the individual's next of kin or authorized representative consents to release of the information or records; and any relevant information and records maintained by a State or local government agency, including death certificates, law enforcement records, including criminal histories and records of probation and parole, medical examiner records, social service records, and school

records and educational histories, if the individual's next of kin or authorized representative consents to release the information or records.

DOH would also promptly forward a copy of each report of drug overdose death to the local drug overdose fatality review team assigned to the county where the drug overdose death occurred, and upon receipt of the forwarded report, the team would review the reported case in accordance with the provisions of the bill.

The bill provides that each local drug overdose fatality review team is to: develop methods to help prevent drug overdoses; explore methods to promote cooperation among multi-disciplinary agencies in providing services to individuals with substance use disorders; develop an understanding of the causes of drug overdoses; recommend possible changes to law and policy to prevent drug overdoses; and meet at least quarterly to review drug overdose cases received by the team, as well as available criminal, educational substance abuse, and mental health records of the deceased individuals.

The bill also provides that: names and individual identification data collected pursuant to the bill would not be disclosed by DOH or a local drug overdose fatality review team member unless required by law; nothing in the bill would be construed to require disclosure of any private or confidential health information in violation of State or federal privacy laws; and DOH, in collaboration with each local drug overdose fatality review team, would report any findings made pursuant to the Governor and the Legislature.

#### COMMITTEE AMENDMENTS

The committee amended the bill to provide that the commissioner develop a mandatory reporting process to which health care practitioners, medical examiners, hospitals, emergency medical services providers, local health departments, law enforcement agencies, substance use disorder treatment programs, and relevant social services agencies would be required to confidentially report to the DOH on individual cases of drug overdose death.

As amended by the committee, DOH would be required to maintain a record of all reports of drug overdose death submitted through the reporting process. The reports would contain records related to a deceased individual, whose death has been determined to be the result of a drug overdose, that include, but would not limited to: the individual's age, race, gender, county of residence, and county of death; the date, manner, cause, and specific circumstances of the overdose death; any relevant information and records maintained by a health care provider related to the individual's physical health, mental health, and substance use disorder treatment, if the individual's next of kin or authorized representative consents to release the information or record; and any relevant information and records maintained by a State

or local government agency, including death certificates, law enforcement records medical examiner records, social service records, and school records and educational histories, if the individual's next of kin consents to release the information or record.

The committee amendments require DOH to promptly forward a copy of each report of drug overdose death to the local drug overdose fatality review team assigned to the county where the drug overdose death occurred, and upon receipt of the forwarded report, the team would review the reported case in accordance with the provisions of the bill.

The committee amendments updates references to DOH.