

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 52

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 10, 2021

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 52.

As amended by the committee, this bill authorizes the Local Committee on Alcohol Use Disorder and Substance Use Disorder in each county to establish a local drug overdose fatality review team for that county. Local drug overdose fatality review teams may serve multiple counties where practicable.

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.

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 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 team, as well as available criminal, educational, substance abuse, and mental health records of the deceased individuals. Team meetings will be closed to the public, and information disclosed at the meetings will be confidential.

As amended, the bill requires the Commissioner of Health to develop a uniform, standardized reporting process for drug overdose deaths, and to forward certain information concerning each drug overdose death to the appropriate local drug overdose fatality review team, including certain personal details concerning the overdose victim and certain particulars concerning the circumstances of the overdose victim's death. Local drug overdose fatality review teams will also be provided with access to certain health treatment records and government records concerning the overdose victim. A local drug

overdose fatality review team will be required to review each report of a drug overdose death upon receipt of the report.

As amended, the bill also directs State and local government agencies, upon request, to: (1) share records and information concerning an overdose victim with a drug overdose fatality review team, as necessary for the team to conduct a review of reported overdose deaths; and (2) share records and information with the Department of Law and Public Safety, to be integrated into the department's integrated drug awareness dashboard.

Local drug overdose fatality review teams will be required to report their findings to the Governor and the Legislature.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

As reported by the committee with amendments, Senate Bill No. 52 is identical to Assembly Bill No. 798 which was also reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amendments make the establishment of local drug overdose fatality review teams permissive, rather than mandatory.

The committee amendments delete language providing that the chair of the local drug overdose fatality review teams would be required to administer a process of review and establish protocols for collecting and maintaining data.

The committee amendments remove a provision requiring the Commissioner of Human Services to make funding available to local drug overdose fatality review teams to undertake their duties under the bill.

The committee amendments remove language making access to certain information concerning a person who died of a drug overdose contingent on the consent of the person's next of kin or authorized representative.

The committee amendments provide that access to criminal history records and records of probation and parole is contingent on the transmission of the records not imperiling ongoing investigations.

The committee amendments specify that information discussed at meetings of local drug overdose fatality review teams will be deemed confidential.

The committee amendments revise the definition of "drug overdose" to provide that it includes extreme physical illness, rather than any physical illness, to remove the symptoms of "mania" and "hysteria," and to add the symptoms "decreased level of consciousness" and "respiratory depression."

The committee amendments provide that data collected under the bill may be shared with the Department of Law and Public Safety,

upon request, for integration into its integrated drug awareness dashboard.

The committee amendments add a requirement that local drug overdose fatality review teams report their findings to the Governor and to the Legislature.