

**ASSEMBLY, No. 798**

---

**STATE OF NEW JERSEY**

**219th LEGISLATURE**

---

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**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, Assemblyman Benson  
and Assemblywoman Lopez**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 1/27/2020)**

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

3

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

6

7       1.   a.   The Local Advisory Committee on Alcohol Use Disorder  
8       and Substance Use Disorder in each county may establish a local drug  
9       overdose fatality review team for that county. A local drug overdose  
10      fatality review team may serve one or more counties where  
11      practicable. Each local drug overdose fatality review team shall elect  
12      a chair.

13      b.   Local drug overdose fatality review teams shall consist of  
14      individuals with experience and knowledge regarding health, social  
15      services, law enforcement, education, emergency medicine, mental  
16      health, juvenile delinquency, and drug and alcohol abuse.

17      c.   The Commissioner of Health shall develop a mandatory drug  
18      overdose death reporting process, pursuant to which health care  
19      practitioners, medical examiners, hospitals, emergency medical  
20      services providers, local health departments, law enforcement  
21      agencies, substance use disorder treatment programs, and relevant  
22      social services agencies will be required to confidentially report  
23      cases of drug overdose death to the Department of Health in a  
24      standardized, uniform format.

25      d.   The department shall transmit to the appropriate local drug  
26      overdose fatality review team such information as the department has  
27      available concerning any drug overdose that occurs within the county  
28      served by the local drug overdose fatality review team, including, but  
29      not limited to: the individual's age, race, gender, county of residence,  
30      and county of death; and the date, manner, cause, and specific  
31      circumstances of the overdose death, as recorded on the individual's  
32      completed death certificate. In addition, the team may be provided  
33      access to the following records related to the individual:

34          (1) any relevant information and records maintained by a health  
35          care provider related to the individual's physical health, mental  
36          health, and substance use disorder treatment; and

37          (2) any relevant information and records maintained by a State or  
38          local government agency, including criminal history records and  
39          records of probation and parole if the transmission of such records  
40          does not imperil ongoing investigations, medical examiner records,  
41          social service records, and school records and educational histories.

42      e.   Upon receipt of a report of drug overdose death that has been  
43      forwarded to a local drug overdose death fatality review team  
44      pursuant to subsection d. of this section, the team shall review the  
45      reported case in accordance with the provisions of subsection f. of  
46      this section.

47      f.   Each local drug overdose fatality review team shall:

48          (1) develop methods to help prevent drug overdoses;

1 (2) explore methods to promote cooperation among multi-  
2 disciplinary agencies in providing services to individuals with  
3 substance use disorders;

4 (3) develop an understanding of the causes of drug overdoses;

5 (4) recommend possible changes to law and policy to prevent  
6 drug overdoses; and

7 (5) meet at least quarterly to review drug overdose death cases  
8 transmitted to the team pursuant to this section, as well as available  
9 criminal, educational, substance abuse, and mental health records of  
10 the deceased individuals. Local drug overdose fatality review team  
11 meetings shall be closed to the public, and information discussed at  
12 the meetings shall be deemed confidential.

13 g. As used in this section:

14 "Drug overdose" means an acute condition including, but not  
15 limited to, extreme physical illness, coma, decreased level of  
16 consciousness, respiratory depression, or death resulting from the  
17 consumption or use of a controlled dangerous substance or another  
18 substance with which a controlled dangerous substance was  
19 combined and that a layperson would reasonably believe to require  
20 medical assistance.

21  
22 2. Names and individual identification data collected pursuant to  
23 the provisions of this act shall not be disclosed by the Department of  
24 Health or a local drug overdose fatality review team member unless  
25 required by law, and nothing in this act shall be construed to require  
26 disclosure of any private or confidential health information in  
27 violation of State or federal privacy laws. Notwithstanding the  
28 foregoing, State and local government agencies are directed to share,  
29 upon request by the Department of Law and Public Safety for  
30 integration into its integrated drug awareness dashboard, or by a local  
31 drug overdose fatality review team, such information or records as  
32 may be necessary and appropriate for the local drug overdose fatality  
33 review team to conduct a review of reported drug overdose deaths  
34 pursuant to section 1 of this act or for the Department of Law and  
35 Public Safety to integrate into its integrated drug awareness  
36 dashboard in order to protect the public health, safety, and welfare.

37  
38 3. The Department of Health, in collaboration with each local  
39 drug overdose fatality review team, shall report any findings made  
40 pursuant to this act to the Governor and, pursuant to section 2 of  
41 P.L.1991, c.164 (C.52:14-19.1), to the Legislature.

42  
43 4. The Department of Health shall adopt rules and regulations,  
44 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
45 (C.52:14B-1 et seq.), to implement the provisions of this act.

46  
47 5. This act shall take effect 180 days after the date of enactment.

## STATEMENT

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.

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.

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.

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.