

Chapter 328

(House Bill 1012)

AN ACT concerning

Public Health – Local Suicide Fatality Review Teams – Authorization

FOR the purpose of authorizing a county or municipality to establish a local suicide fatality review team; requiring a local team to coordinate with certain local child fatality review teams and the State Suicide Fatality Review Committee; exempting certain meetings of a local team from the Open Meetings Act; providing certain immunity for certain actions taken by a person as a member of a local team; authorizing a local team to request and receive certain information under certain authority; establishing that a local team is a public health authority conducting certain activities in accordance with a certain federal law; providing that certain information acquired by a local team is confidential and exempt from disclosure under the Maryland Public Information Act, discovery, or introduction as evidence in any proceeding; prohibiting certain persons from testifying in any proceeding about details of a local team meeting; and generally relating to local suicide fatality review teams.

BY adding to

Article – Health – General

Section 5–1101 through ~~5–1105~~ 5–1110 to be under the new subtitle “Subtitle 11. Local Suicide Fatality Review Teams”

Annotated Code of Maryland

(2023 Replacement Volume and 2025 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health – General

SUBTITLE 11. LOCAL SUICIDE FATALITY REVIEW TEAMS.

5–1101.

(A) IN THIS SUBTITLE, ~~“LOCAL”~~ THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “LOCAL TEAM” MEANS A MULTIDISCIPLINARY AND MULTIAGENCY SUICIDE FATALITY REVIEW TEAM ESTABLISHED UNDER ~~§ 5–1102~~ § 5–1103 OF THIS SUBTITLE.

(C) “STATE TEAM” MEANS THE MARYLAND SUICIDE FATALITY REVIEW COMMITTEE.

15-1102.

THIS SUBTITLE MAY NOT BE CONSTRUED TO SUPERSEDE, LIMIT, INTERFERE WITH, OR OTHERWISE AFFECT THE AUTHORITY OR DUTIES OF A LOCAL CHILD FATALITY REVIEW TEAM UNDER SUBTITLE 7 OF THIS TITLE.

~~5-1102.~~ 5-1103.

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A COUNTY OR MUNICIPALITY MAY ESTABLISH A MULTIDISCIPLINARY AND MULTIAGENCY SUICIDE FATALITY REVIEW TEAM.

(B) TWO OR MORE COUNTIES MAY ESTABLISH A SINGLE MULTICOUNTY LOCAL TEAM.

(C) A MULTICOUNTY LOCAL TEAM SHALL EXECUTE A MEMORANDUM OF UNDERSTANDING ON MEMBERSHIP, STAFFING, AND OPERATION.

(D) THE LOCAL TEAM MEMBERSHIP SHALL BE DRAWN, IF AVAILABLE, FROM THE FOLLOWING INDIVIDUALS, ORGANIZATIONS, AGENCIES, AND AREAS OF EXPERTISE:

- (1) THE COUNTY HEALTH OFFICER, OR THE OFFICER’S DESIGNEE;**
- (2) THE DIRECTOR OF THE LOCAL DEPARTMENT OF SOCIAL SERVICES, OR THE DIRECTOR’S DESIGNEE;**
- (3) THE DIRECTOR OF THE LOCAL BEHAVIORAL HEALTH AUTHORITY OR THE DIRECTOR’S DESIGNEE;**
- (4) THE SUPERINTENDENT OF SCHOOLS FOR THE COUNTY, OR THE SUPERINTENDENT’S DESIGNEE;**
- (5) A STATE, COUNTY, OR MUNICIPAL LAW ENFORCEMENT OFFICER;**
- (6) THE DIRECTOR OF BEHAVIORAL HEALTH SERVICES IN THE COUNTY, OR THE DIRECTOR’S DESIGNEE;**
- (7) AN EMERGENCY MEDICAL SERVICES PROVIDER IN THE COUNTY;**

(8) A REPRESENTATIVE OF A HOSPITAL;

(9) A HEALTH CARE PROFESSIONAL WHO SPECIALIZES IN THE PREVENTION, DIAGNOSIS, AND TREATMENT OF MENTAL HEALTH OR BEHAVIORAL HEALTH CONDITIONS;

(10) A MEMBER OF THE PUBLIC WITH INTEREST OR EXPERTISE IN SUICIDE PREVENTION, APPOINTED BY THE COUNTY HEALTH OFFICER; AND

(11) ANY OTHER INDIVIDUAL NECESSARY FOR THE WORK OF THE LOCAL TEAM, RECOMMENDED BY THE LOCAL TEAM AND APPOINTED BY THE COUNTY HEALTH OFFICER.

(E) EACH LOCAL TEAM SHALL ELECT A CHAIR FROM AMONG ITS MEMBERS.

(F) EACH LOCAL TEAM SHALL:

(1) MEET AT LEAST QUARTERLY TO:

(I) REVIEW THE STATUS OF SUICIDE FATALITY CASES;

(II) RECOMMEND ACTIONS TO IMPROVE THE COORDINATION OF SERVICES AND INVESTIGATIONS AMONG AGENCIES; AND

(III) RECOMMEND ACTIONS TO RELEVANT AGENCIES TO PREVENT SUICIDE DEATHS;

(2) COLLECT AND MAINTAIN DATA AS REQUIRED BY THE STATE TEAM;

(3) ENSURE SAFE AND SECURE STORAGE FOR PROTECTED INFORMATION AND RECORDS HELD BY THE LOCAL TEAM;

(4) PROVIDE ANY REPORTS REQUIRED BY THE STATE TEAM, INCLUDING:

(I) REPORTS ON INDIVIDUAL CASES;

(II) STEPS TAKEN TO IMPROVE COORDINATION OF SERVICES AND INVESTIGATIONS AMONG AGENCIES;

(III) STEPS TAKEN TO IMPLEMENT THE RECOMMENDATIONS OF LOCAL TEAMS BY APPLICABLE AGENCIES; AND

(IV) RECOMMENDATIONS FOR CHANGES TO STATE AND LOCAL LAW, POLICY, AND PRACTICES DESIGNED TO PREVENT SUICIDE DEATHS;

(5) SUBJECT TO § 5-1104(C) OF THIS SUBTITLE, COORDINATE WITH LOCAL CHILD FATALITY REVIEW TEAMS, AND LOCAL DRUG OVERDOSE FATALITY REVIEW TEAMS TO ENSURE THE EFFICIENCY OF EACH LOCAL TEAM'S OPERATIONS;

(6) COORDINATE WITH THE STATE SUICIDE FATALITY REVIEW COMMITTEE ESTABLISHED UNDER SUBTITLE 10 OF THIS TITLE, INCLUDING TO ESTABLISH OPERATING PROTOCOLS; AND

(7) OPERATE SUBJECT TO STATE AND NATIONAL STANDARDS, AND SUBJECT TO GUIDANCE ISSUED BY THE STATE SUICIDE FATALITY REVIEW COMMITTEE.

~~5-1103.~~ 5-1104.

(A) THE PURPOSE OF A LOCAL TEAM IS TO PREVENT SUICIDE DEATHS BY:

(1) REVIEWING SUICIDE DEATHS OF RESIDENTS OF THE COUNTY OR THAT OCCUR WITHIN THE COUNTY;

(2) IDENTIFYING SYSTEMIC, SERVICE, AND POLICY FACTORS ASSOCIATED WITH RISK OF SUICIDE;

(3) PROMOTING COORDINATION BETWEEN ENTITIES INVOLVED IN SUICIDE PREVENTION, CRISIS RESPONSE, TREATMENT, AND POSTVENTION; AND

(4) DEVELOPING RECOMMENDATIONS TO PREVENT SUICIDE.

(B) A LOCAL TEAM MAY:

(1) EXAMINE TRENDS IN SUICIDE AND FACTORS THAT CONTRIBUTE TO SUICIDE RISK;

(2) SHARE INFORMATION WITH OTHER PUBLIC HEALTH AUTHORITIES OR THEIR DESIGNEES AS THE LOCAL TEAM DETERMINES NECESSARY TO CARRY OUT THE PURPOSES OF THIS SUBTITLE;

(3) IDENTIFY GAPS IN SYSTEMS OF CARE OR COORDINATION BETWEEN ENTITIES INVOLVED IN SUICIDE PREVENTION, CRISIS RESPONSE, TREATMENT, AND POSTVENTION; AND

~~(3)~~ (4) **SUBMIT RECOMMENDATIONS TO THE STATE SUICIDE FATALITY REVIEW COMMITTEE ESTABLISHED UNDER SUBTITLE 10 OF THIS TITLE, OR OTHER LOCAL ENTITIES AS DETERMINED APPROPRIATE BY THE LOCAL TEAM.**

(C) A LOCAL CHILD FATALITY REVIEW TEAM:

(1) FOR A SUICIDE DEATH INVOLVING AN INDIVIDUAL UNDER THE AGE OF 18 YEARS, SHALL RETAIN THE PRIMARY AUTHORITY TO CONDUCT THE REVIEW IN ACCORDANCE WITH SUBTITLE 7 OF THIS TITLE; AND

(2) MAY COORDINATE OR CONDUCT A JOINT REVIEW WITH THE LOCAL TEAM.

~~5-1104.~~ 5-1105.

A PERSON SHALL HAVE THE IMMUNITY FROM LIABILITY UNDER § 5-637 OF THE COURTS ARTICLE FOR ANY ACTION AS A MEMBER OF THE LOCAL TEAM FOR GIVING INFORMATION TO, PARTICIPATING IN, OR CONTRIBUTING TO THE FUNCTION OF THE LOCAL TEAM.

5-1106.

(A) A LOCAL TEAM MAY REQUEST RECORDS UNDER THIS SECTION UNDER THE AUTHORITY OF THE STATE TEAM.

(B) ON REQUEST OF THE CHAIR OF A LOCAL TEAM AND AS NECESSARY TO CARRY OUT THE PURPOSE AND DUTIES OF THE LOCAL TEAM, A HEALTH CARE PROVIDER OR A LOCAL GOVERNMENT AGENCY SHALL IMMEDIATELY PROVIDE TO THE LOCAL TEAM ANY RECORDS OF THE HEALTH CARE PROVIDER OR LOCAL GOVERNMENT AGENCY NECESSARY TO COMPLETE THE REVIEW OF A SPECIFIC FATALITY, INCLUDING:

(1) HOSPITAL RECORDS;

(2) OUTPATIENT CLINIC, HEALTH CARE PROVIDER, AND LABORATORY RECORDS;

(3) POLICE INVESTIGATIVE DATA;

(4) MEDICAL EXAMINER INVESTIGATIVE DATA;

(5) CAUSE OF DEATH INFORMATION IN VITAL RECORDS;

(6) SOCIAL SERVICES RECORDS; AND

(7) OTHER RECORDS FROM LOCAL OFFICES, AGENCIES, AND DEPARTMENTS.

(C) THE LOCAL TEAM MAY REQUEST THAT A PERSON WITH DIRECT KNOWLEDGE OF CIRCUMSTANCES SURROUNDING A FATALITY PROVIDE THE LOCAL TEAM WITH THE INFORMATION NECESSARY TO COMPLETE REVIEW OF THE PARTICULAR FATALITY, INCLUDING INFORMATION FROM:

(1) A HEALTH CARE PROVIDER OR STAFF INVOLVED IN THE CARE OF THE DECEDENT; AND

(2) THE PERSON WHO FIRST RESPONDED TO A REPORT CONCERNING THE DECEDENT.

5-1107.

A LOCAL TEAM IS A PUBLIC HEALTH AUTHORITY, AS DEFINED IN 45 C.F.R. § 164.501, CONDUCTING PUBLIC HEALTH ACTIVITIES IN ACCORDANCE WITH THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT.

5-1108.

(A) MEETINGS OF LOCAL TEAMS SHALL BE CLOSED TO THE PUBLIC AND ARE NOT SUBJECT TO THE ~~MARYLAND~~ OPEN MEETINGS ACT WHEN THE LOCAL TEAMS ARE DISCUSSING INDIVIDUAL CASES OF SUICIDE.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, MEETINGS OF LOCAL TEAMS SHALL BE OPEN TO THE PUBLIC AND ARE SUBJECT TO THE ~~MARYLAND~~ OPEN MEETINGS ACT WHEN THE LOCAL TEAM IS NOT DISCUSSING INDIVIDUAL CASES OF SUICIDE.

(C) (1) DURING A PUBLIC MEETING, INFORMATION MAY NOT BE DISCLOSED THAT IDENTIFIES:

(i) A DECEASED INDIVIDUAL;

(ii) AN INDIVIDUAL WHO HAS EXPERIENCED SUICIDE OR A SUICIDE ATTEMPT;

(iii) A FAMILY MEMBER, GUARDIAN, OR CARETAKER OF AN INDIVIDUAL DESCRIBED IN ITEM (I) OR (II) OF THIS PARAGRAPH; OR

(IV) AN INDIVIDUAL CONVICTED OF A CRIME OR ADJUDICATED AS HAVING COMMITTED A DELINQUENT ACT THAT CAUSED A DEATH OR NEAR FATALITY.

(2) DURING A PUBLIC MEETING, INFORMATION MAY NOT BE DISCLOSED ABOUT THE INVOLVEMENT OF AN AGENCY WITH:

(I) A DECEASED INDIVIDUAL;

(II) AN INDIVIDUAL WHO HAS EXPERIENCED SUICIDE OR A SUICIDE ATTEMPT;

(III) A FAMILY MEMBER, GUARDIAN, OR CARETAKER OF A DECEASED INDIVIDUAL OR OF AN INDIVIDUAL DESCRIBED IN ITEM (I) OR (II) OF THIS PARAGRAPH; OR

(IV) AN INDIVIDUAL CONVICTED OF A CRIME OR ADJUDICATED AS HAVING COMMITTED A DELINQUENT ACT THAT CAUSED A DEATH OR NEAR FATALITY.

(D) THIS SECTION DOES NOT PROHIBIT A LOCAL TEAM FROM REQUESTING THE ATTENDANCE OF A PERSON WHO HAS INFORMATION RELEVANT TO THE LOCAL TEAM'S EXERCISE OF ITS PURPOSE AND DUTIES AT A TEAM MEETING.

(E) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500 OR IMPRISONMENT NOT EXCEEDING 90 DAYS OR BOTH.

~~5-1105.~~ 5-1109.

(A) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, ALL INFORMATION AND RECORDS ACQUIRED BY A LOCAL TEAM IN THE EXERCISE OF ITS PURPOSE AND DUTIES UNDER THIS SUBTITLE:

(1) ARE CONFIDENTIAL;

(2) ARE EXEMPT FROM DISCLOSURE UNDER THE ~~MARYLAND~~ PUBLIC INFORMATION ACT; ~~AND~~

(3) ARE NOT SUBJECT TO DISCOVERY AND MAY NOT BE INTRODUCED AS EVIDENCE IN ANY PROCEEDING; AND

~~(3)~~ (4) MAY BE DISCLOSED ONLY AS NECESSARY TO CARRY OUT THE LOCAL TEAM'S PURPOSE AND DUTIES.

(B) (1) MENTAL HEALTH RECORDS ARE SUBJECT TO THE ADDITIONAL LIMITATIONS UNDER § 4-307 OF THIS ARTICLE FOR DISCLOSURE OF A MEDICAL RECORD DEVELOPED PRIMARILY IN CONNECTION WITH THE PROVISION OF MENTAL HEALTH SERVICES.

(2) SUBSTANCE ABUSE TREATMENT RECORDS ARE SUBJECT TO ANY ADDITIONAL LIMITATIONS FOR DISCLOSURE OR REDISCLOSURE OF A MEDICAL RECORD DEVELOPED IN CONNECTION WITH THE PROVISION OF SUBSTANCE ABUSE TREATMENT SERVICES UNDER STATE LAW, 42 U.S.C. § 290DD-2, OR 42 C.F.R. PART 2.

(C) STATISTICAL COMPILATIONS OF DATA THAT DO NOT CONTAIN ANY ~~PERSONALLY IDENTIFIABLE INFORMATION~~ INFORMATION THAT WOULD ALLOW THE IDENTIFICATION OF ANY PERSON TO BE ASCERTAINED ARE PUBLIC RECORDS.

(D) REPORTS OF A LOCAL TEAM THAT DO NOT CONTAIN ANY PERSONALLY IDENTIFIABLE INFORMATION ARE PUBLIC RECORDS.

(E) EXCEPT AS NECESSARY TO CARRY OUT A LOCAL TEAM'S PURPOSE AND DUTIES, MEMBERS OF A LOCAL TEAM AND PERSONS ATTENDING A LOCAL TEAM MEETING MAY NOT DISCLOSE:

(1) ANY PROCEEDING AT A NONPUBLIC MEETING UNDER ~~§ 5-1104~~ § 5-1108 OF THIS SUBTITLE; OR

(2) ANY INFORMATION THAT MAY NOT BE DISCLOSED UNDER THIS SECTION.

(F) (1) MEMBERS OF A LOCAL TEAM, PERSONS ATTENDING A LOCAL TEAM MEETING, AND PERSONS WHO PRESENT INFORMATION TO A LOCAL TEAM MAY NOT BE QUESTIONED IN ANY CIVIL OR CRIMINAL PROCEEDING ABOUT INFORMATION PRESENTED IN OR OPINIONS FORMED AS A RESULT OF A MEETING.

(2) THIS SUBSECTION DOES NOT PROHIBIT A PERSON FROM TESTIFYING TO INFORMATION THAT IS OBTAINED INDEPENDENTLY OF A LOCAL TEAM OR THAT IS PUBLIC INFORMATION.

(G) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, INFORMATION, DOCUMENTS, OR RECORDS OF A LOCAL TEAM ARE NOT SUBJECT TO

SUBPOENA, DISCOVERY, OR INTRODUCTION INTO EVIDENCE IN ANY CIVIL OR CRIMINAL PROCEEDING.

(2) INFORMATION, DOCUMENTS, OR RECORDS OTHERWISE AVAILABLE FROM OTHER SOURCES ARE NOT IMMUNE FROM SUBPOENA, DISCOVERY, OR INTRODUCTION INTO EVIDENCE THROUGH THOSE SOURCES SOLELY BECAUSE THEY WERE PRESENTED DURING PROCEEDINGS OF A LOCAL TEAM OR ARE MAINTAINED BY A LOCAL TEAM.

(H) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500 OR IMPRISONMENT NOT EXCEEDING 90 DAYS OR BOTH.

5-1110.

THE DEPARTMENT MAY ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE, INCLUDING:

(1) PROTOCOLS, PROCEDURES, AND METHODS FOR, AND THE MANNER AND EXTENT OF INVESTIGATIONS AND REVIEWS BY LOCAL TEAMS;

(2) THE MANNER IN WHICH DATA PROVIDED BY THE DEPARTMENT IS TO BE STORED AND SECURED;

(3) THE MANNER IN WHICH, AND EXTENT TO WHICH, INFORMATION BASED ON DATA PROVIDED BY THE DEPARTMENT MAY BE DISSEMINATED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.

Approved by the Governor, April 28, 2026.