

HB1012/933726/1

BY: Health Committee

AMENDMENTS TO HOUSE BILL 1012
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Fair**” and substitute “**Delegates Fair, Alston, Bagnall, Cullison, Guzzone, Hill, S. Johnson, Kaufman, Lopez, Martinez, Rosenberg, Ross, Taveras, White Holland, and Woorman**”; in line 4, after “with” insert “certain local child fatality review teams and”; in line 6, after “Act;” insert “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 certain a federal law;”; in line 7, after “Act” insert “, discovery, or introduction as evidence in any proceeding”; and in line 12, strike “5-1105” and substitute “5-1110”.

AMENDMENT NO. 2

On page 1, in line 21, before “IN” insert “**(A)**”; in the same line, strike “**LOCAL**” and substitute “**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**”

(B) LOCAL;

in line 22, strike “**§ 5-1102**” and substitute “**§ 5-1103**”; and after line 23, insert:

(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.

On page 2, in line 1, strike “~~5-1102.~~” and substitute “5-1103.”; and in line 15, after “LOCAL” insert “BEHAVIORAL”.

On page 3, in line 6, after “(1)” insert “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)”;

in line 7, after “TITLE” insert “, INCLUDING TO ESTABLISH OPERATING PROTOCOLS”; in line 8, strike “(2)” and substitute “(7)”; in the same line, after “TO” insert “STATE AND NATIONAL STANDARDS, AND SUBJECT TO”; in line 10, strike “5-1103.” and substitute “5-1104.”; in line 12, after “DEATHS” insert “OF RESIDENTS OF THE COUNTY OR”; in line 21, after “(2)” insert “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)”;

in line 24, strike “(3)” and substitute “(4)”; after line 26, insert:

“(C) A LOCAL CHILD FATALITY REVIEW TEAM:

(Over)

(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.”;

in line 27, strike “5-1104.” and substitute “5-1105.”; and after line 27, insert:

“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.

(Over)

5-1108.

On page 4, in lines 2 and 6, in each instance, strike “MARYLAND”.

On page 5, in line 4, strike “5-1105.” and substitute “5-1109.”; in line 9, strike “MARYLAND”; in line 10, strike “AND”; after line 10, insert:

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

in line 11, strike “(3)” and substitute “(4)”; in line 23, strike “PERSONALLY IDENTIFIABLE INFORMATION” and substitute “INFORMATION THAT WOULD ALLOW THE IDENTIFICATION OF ANY PERSON TO BE ASCERTAINED”; and in line 29, strike “§ 5-1104” and substitute “§ 5-1108”.

On page 6, after line 21, insert:

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.".