

2018 -- H 7697

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LC004919
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO HEALTH AND SAFETY -- OFFICE OF MEDICAL EXAMINERS

Introduced By: Representatives Bennett, Newberry, McNamara, Shekarchi, and
Marshall

Date Introduced: February 28, 2018

Referred To: House Health, Education & Welfare

(Department of Health)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-4-3 of the General Laws in Chapter 23-4 entitled "Office of
2 State Medical Examiners" is hereby amended to read as follows:

3 **23-4-3. Functions.**

4 The office of state medical examiners shall be responsible for:

- 5 (1) The investigation of deaths within the state that, in its judgment, might reasonably be
6 expected to involve causes of death enumerated in this chapter;
- 7 (2) For the conduct of inquests when requested by the attorney general;
- 8 (3) For the performance of autopsies, including the retention, examination, and
9 appropriate disposal of tissue, when appropriate, for deaths that, in its judgment, might
10 reasonably be expected to involve causes of deaths enumerated in this chapter;
- 11 (4) For the written determination of the causes of death investigated pursuant to this
12 chapter;
- 13 (5) For the presentation to the courts of Rhode Island of expert testimony relating to the
14 cause of death;
- 15 (6) For the keeping of complete records, including names, places, circumstances, and
16 causes of deaths, of deaths investigated and reported, copies of which shall be delivered to the
17 attorney general and of which written determinations of causes of death shall be made available
18 for public inspection;
- 19 (7) For the burial of bodies for which there is no other existing legal responsibility to do

1 so;

2 (8) For the development and enforcement of procedures for the pronouncement of death
3 and for the transplantation of organs from bodies of persons who have died within the state;

4 (9) For a multi-disciplinary team review of child fatalities with the goal to decrease the
5 prevalence of preventable child deaths and report recommendations for community- and systems-
6 intervention strategies. A child death-review team shall include, but is not limited to,
7 representation from state agencies, health care, child welfare, and law enforcement; ~~and~~

8 (10) The department shall work with the department of children, youth and families and
9 the office of the child advocate to develop a process to ensure the timely availability of autopsy
10 reports on child deaths; and

11 (11)(i) For a multi-disciplinary team review of drug-related overdose deaths with the goal
12 of reducing the prevalence of such deaths by examining emerging trends in overdose, identifying
13 potential demographic, geographic, and structural points for prevention and other factors. The
14 multi-disciplinary team for review of drug-related overdose deaths may include, as determined by
15 the director, representatives from the department of health; the department of the attorney
16 general; the Rhode Island state police; the department of corrections; the department of
17 behavioral healthcare, developmental disabilities and hospitals; the Rhode Island Police Chiefs
18 Association; the Hospital Association of Rhode Island; an emergency department physician; a
19 primary care physician; an addiction medicine/treatment provider; a mental health clinician; a
20 toxicologist; a recovery coach or other representative of the recovery community; and others as
21 may be determined by the director; and

22 (b) The work product used to create any findings, report or conclusions of the multi-
23 disciplinary team for review of drug-related overdose deaths shall be confidential and protected
24 under all applicable laws, including the federal Health Insurance Portability and Accountability
25 Act of 1996 and the Rhode Island confidentiality of health care information act (chapter 37.3 of
26 title 5), and shall be exempt from the provisions of chapter 2 of title 38, not subject to subpoena,
27 discovery, or introduction into evidence in any civil or criminal proceeding, and not subject to
28 disclosure beyond such team members (except to authorized employees of the department of
29 health as necessary to perform official duties of the department pursuant to § 23-4-3(11)).

30 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO HEALTH AND SAFETY -- OFFICE OF MEDICAL EXAMINERS

- 1 This act would provide that the state medical examiner is to conduct a multi-disciplinary
- 2 team review of drug-related overdose deaths.
- 3 This act would take effect upon passage.

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