

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1336 Session of
2015

INTRODUCED BY YAW, TEPLITZ, MENSCH, SCHWANK, ARGALL, BARTOLOTTA,
RESCHENTHALER, VULAKOVICH, AUMENT, RAFFERTY, COSTA, DINNIMAN,
YUDICHAK, BOSCOLA AND BROWNE, JULY 7, 2016

REFERRED TO PUBLIC HEALTH AND WELFARE, JULY 7, 2016

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; providing for the regulation of pari-mutuel
18 thoroughbred horse racing and harness horse racing
19 activities, imposing certain taxes and providing for the
20 disposition of funds from pari-mutuel tickets; and
21 prescribing the manner in which the number and compensation
22 of the deputies and all other assistants and employes of
23 certain departments, boards and commissions shall be
24 determined," in powers and duties of Department of Drug and
25 Alcohol Programs, providing for drug overdose death
26 reporting.

27 The General Assembly of the Commonwealth of Pennsylvania
28 hereby enacts as follows:

29 Section 1. The act of April 9, 1929 (P.L.177, No.175), known

as The Administrative Code of 1929, is amended by adding a section to read:

Section 2302-A. Drug overdose death reporting.

(a) General rule.--The Department of Drug and Alcohol Programs shall collect and maintain information submitted by county coroners and medical examiners under subsection (b).

(b) Duty to submit and maintain information.--Every coroner or medical examiner in this Commonwealth shall report in writing to the Department of Drug and Alcohol Programs within five days of certification the death of any person resulting from a drug overdose, giving the time and place of the death and the circumstances relating thereto. These reports shall be made on forms prescribed by the department. Every coroner or medical examiner shall retain a copy of the reports in his office for a period of two years.

(c) Use of information.--The Department of Drug and Alcohol Programs shall use the information obtained under this section to:

(1) Communicate concerns to regulators and facilitate communication within the health care and legal systems about issues that could threaten health and public safety.

(2) Prepare aggregate statistics relating to deaths resulting from drug overdoses and include the statistics in the annual report required under section 4(9) of the act of October 24, 2012 (P.L.1198, No.148), known as the Methadone Death and Incident Review Act.

(d) Confidentiality.--The Department of Drug and Alcohol Programs shall maintain the confidentiality of any identifying information obtained relating to the death of an individual, including the name of the individual, guardians, family members,

1 caretakers or alleged or suspected perpetrators of abuse,
2 neglect or a criminal act.

3 (e) Immunity.--An individual who in good faith provides
4 information or records to the Department of Drug and Alcohol
5 Programs under this section shall not be subject to civil or
6 criminal liability as a result of providing the information or
7 records.

8 Section 2. This act shall take effect in 60 days.