

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 419 Session of 2017

INTRODUCED BY YAW, MCGARRIGLE, ALLOWAY, ARGALL, BARTOLOTTA, SCHWANK, RESCHENTHALER, VULAKOVICH, LANGERHOLC, MENSCH, KILLION, RAFFERTY, WARD, BROWNE, BREWSTER AND STEFANO, FEBRUARY 27, 2017

REFERRED TO HEALTH AND HUMAN SERVICES, FEBRUARY 27, 2017

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 Health and  
 25 its departmental administrative and advisory boards,  
 26 providing for drug overdose death 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

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

3 Section 2126. Drug Overdose Death Reporting.--(a) The  
4 Department of Health shall collect and maintain information  
5 submitted by county coroners and medical examiners under  
6 subsection (b).

7 (b) Each coroner or medical examiner in this Commonwealth  
8 shall report in writing to the Department of Health, within five  
9 days of certification, the death of a person resulting from a  
10 drug overdose, giving the time and place of the death and the  
11 circumstances relating to the death. The reports shall be made  
12 on forms prescribed by the department. Each coroner or medical  
13 examiner shall retain a copy of the reports in the coroner's or  
14 medical examiner's office for a period of two years.

15 (c) The Department of Health shall use the information  
16 obtained under this section to:

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

20 (2) Prepare aggregate statistics relating to deaths  
21 resulting from drug overdoses and include the statistics in the  
22 annual report required under section 4(9) of the act of October  
23 24, 2012 (P.L.1198, No.148), known as the Methadone Death and  
24 Incident Review Act.

25 (d) The Department of Health shall maintain the  
26 confidentiality of identifying information obtained relating to  
27 the death of an individual, including the name of the  
28 individual, guardians, family members, caretakers or alleged or  
29 suspected perpetrators of abuse, neglect or a criminal act.

30 (e) An individual who, in good faith, provides information

1 or records to the Department of Health under this section shall  
2 not be subject to civil or criminal liability as a result of  
3 providing the information or records.

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