
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1309 Session of
2021

INTRODUCED BY SCHLOSSBERG, FREEMAN, GUENST, HILL-EVANS,
HOHENSTEIN, HOWARD, KENYATTA, MADDEN, NEILSON, SAMUELSON AND
SANCHEZ, APRIL 30, 2021

REFERRED TO COMMITTEE ON HEALTH, APRIL 30, 2021

AN ACT

1 Providing for establishment of suicide death review teams, for
2 duties of Department of Health, for confidentiality of
3 suicide death review team records and criminal and civil
4 liability protections.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Suicide Death
9 Review Act.

10 Section 2. Declaration of purpose.

11 The General Assembly finds and declares that the purpose of
12 this act is to authorize local communities to establish suicide
13 death review teams as multi-disciplinary teams assembled to
14 conduct confidential reviews of suicide death cases in
15 compliance with all applicable Federal and State laws regarding
16 confidentiality.

17 Section 3. Definitions.

18 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "County." A county of the first class, second class, second
4 class A, third class, fourth class, fifth class, sixth class,
5 seventh class and eighth class.

6 "Deceased individual." An individual who died by suicide.

7 "Department." The Department of Health of the Commonwealth.

8 "Local department of health." Any of the following:

9 (1) A local department of health established by a
10 municipality.

11 (2) A single-county department of health or joint-county
12 department of health established under the act of August 24,
13 1951 (P.L.1304, No.315), known as the Local Health
14 Administration Law.

15 "Municipality." A county, city, borough, incorporated town
16 or township.

17 "Suicide death review team." A suicide death review team
18 established under section 4(a).

19 Section 4. Establishment of suicide death review teams.

20 (a) Establishment.--A local department of health shall
21 establish a suicide death review team for purposes specified
22 under this act. The suicide death review team shall consist of
23 the following individuals selected by the local department of
24 health:

25 (1) An individual licensed as a physician or an
26 osteopathic physician who practices as a psychiatrist.

27 (2) An individual licensed as a psychologist.

28 (3) A county coroner or medical examiner.

29 (4) A local behavioral health director or a designee.

30 (5) An individual who is a member of the education

1 community with experience related to existing and potential
2 suicide prevention efforts for students in primary and
3 secondary schools.

4 (6) An individual who is a member of the law enforcement
5 community with experience related to existing and potential
6 suicide prevention efforts for individuals who are involved
7 with the law enforcement system.

8 (7) A representative of an organization that advocates
9 for persons with mental illness and their family members.

10 (8) Any other individual deemed necessary by the local
11 department of health to administer the suicide death review
12 team's duties under this act, including an individual with
13 experience and knowledge regarding health, social services,
14 law enforcement, education, emergency medicine, mental
15 health, juvenile delinquency, adult and juvenile probation or
16 drug and alcohol abuse.

17 (c) Duties.--A suicide death review team shall have all of
18 the following duties:

19 (1) Upon receipt of a report of a suicide death that has
20 been forwarded to the suicide death review team, conduct a
21 multi-disciplinary review of all available information on the
22 deceased individual.

23 (2) Establish policies and procedures for pooling all
24 available information on suicide deaths from State, county
25 and local agencies, law enforcement and private entities that
26 comply with all applicable Federal and State laws regarding
27 confidentiality.

28 (3) Identify points of contact between the deceased
29 individual and health care systems, social services systems,
30 criminal justice systems and other systems involved with the

1 deceased individual.

2 (4) Identify the risk factors that put individuals at
3 risk for death by suicide within the suicide death review
4 team's jurisdiction.

5 (5) Promote cooperation and coordination across State,
6 county and local agencies involved in suicide investigations.

7 (6) Recommend improvements in sources of information
8 relating to investigating reported suicide deaths, including
9 standards for the uniform and consistent reporting of suicide
10 deaths by law enforcement or other emergency service
11 responders within the suicide death team review's
12 jurisdiction.

13 (7) Recommend improvements to State laws and local
14 partnerships, policies and practices to prevent deaths by
15 suicide.

16 (d) Chair, vacancies and meetings.--A suicide death review
17 team shall select a chair by a majority vote of a quorum of the
18 suicide death review team's members. A majority of the suicide
19 death review team's members shall constitute a quorum. The
20 suicide death review team shall meet at least quarterly to
21 conduct business and review suicide death cases transmitted to
22 the suicide death review team. A vacancy in the suicide death
23 review team shall be filled in accordance with subsection (a).

24 (e) Interviews.--If a suicide death review team opts to
25 contact a family member or caregiver of the deceased individual
26 to conduct an interview with the family member or caregiver, the
27 suicide death review team shall develop protocols for initiating
28 the contact and conducting the interview. The protocols shall be
29 based on trauma-informed care principles and address all of the
30 following:

1 (1) The suicide death review team's collection, use and
2 disclosure of information and records to the family member or
3 caregiver.

4 (2) Providing notice to the family member or caregiver
5 that the interview is voluntary.

6 (3) Ensuring that information attained from the
7 interview is confidential.

8 (f) Annual report.--A suicide death review team shall
9 summarize and share priority recommendations and aggregated,
10 non-individually identifiable findings in an annual report. A
11 local department of health shall publish the annual report under
12 this subsection on the local department of health's publicly
13 accessible Internet website for use by staff for a variety of
14 purposes, including evaluations, policy considerations and
15 health care program enhancements. The annual report under this
16 section shall comply with confidentiality requirements under
17 section 6(b).

18 Section 5. Duties of department.

19 The department shall have all of the following duties:

20 (1) Assist in collecting the reports of a suicide death
21 review team.

22 (2) Provide technical assistance to a suicide death
23 review team in conducting suicide death reviews.

24 (3) Facilitate communication among suicide death review
25 teams.

26 (4) Transmit available information to an appropriate
27 suicide death review team regarding a suicide death in the
28 suicide death review team's jurisdiction, including all of
29 the following information:

30 (i) The deceased individual's age, race, gender,

1 county of residence and county of death.

2 (ii) The date, manner, cause and specific
3 circumstances of the suicide death as recorded on the
4 deceased individual's completed death certificate.

5 (5) Providing a suicide death review team access to all
6 of the following:

7 (i) Information and records maintained by a health
8 care provider related to the deceased individual's
9 physical health, mental health and substance abuse
10 disorder treatment.

11 (ii) Any relevant information and records maintained
12 by a State or local agency, including any of the
13 following:

14 (A) The deceased individual's criminal history
15 records and records of probation and parole if the
16 transmission of the records does not affect an
17 ongoing criminal investigation.

18 (B) The deceased individual's access to various
19 lethal means, social service records, school records
20 and educational histories and coroner or medical
21 examiner records, including autopsy and toxicology
22 reports.

23 (6) Promulgate regulations necessary to implement this
24 act.

25 Section 6. Confidentiality of suicide death review team
26 records.

27 (a) Meetings.--A suicide death review team meeting shall be
28 closed to the public and information discussed at the meeting
29 shall be deemed confidential.

30 (b) Records.--The proceeding, records and opinions reviewed

1 by a suicide death review team shall remain confidential and may
2 not be disclosed under the act of February 14, 2008 (P.L.6,
3 No.3), known as the Right-to-Know Law. The proceedings, records
4 and opinions of a suicide death review team shall be
5 confidential and may not be subject to discovery, subpoena or
6 introduction into evidence in a criminal or civil proceeding. A
7 member of a suicide death review team may not be questioned in a
8 criminal or civil proceeding regarding information presented in
9 or opinions formed as a result of a meeting of the suicide death
10 review team. Nothing in this subsection shall be construed to
11 prevent a member of a suicide death review team from testifying
12 in a criminal or civil proceeding to information obtained
13 independently of the suicide death review team or which is
14 public information.

15 Section 7. Criminal and civil liability protections.

16 An individual who, in good faith, participates as a member of
17 a suicide death review team or provides information to achieve
18 the duties of a suicide death review team may not be subject to
19 criminal or civil liability as a result of the participation or
20 information.

21 Section 8. Effective date.

22 This act shall take effect in 30 days.