

§§1-8
C.26:3A2-20.3 to
26:3A2-20.10
§9
Note to
C.26:3A2-20.3 to
26:3A2-20.10

P.L. 2021, CHAPTER 430, *approved January 18, 2022*
Assembly, No. 798 (*Second Reprint*)

1 **AN ACT** regarding drug overdoses and supplementing Title 26 of
2 the Revised Statutes.
3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
6
7 ¹**[1.** a. The Local Advisory Committee on Alcohol Use
8 Disorder and Substance Use Disorder in each county may establish
9 a local drug overdose fatality review team for that county. A local
10 drug overdose fatality review team may serve one or more counties
11 where practicable. Each local drug overdose fatality review team
12 shall elect a chair.
13 b. Local drug overdose fatality review teams shall consist of
14 individuals with experience and knowledge regarding health, social
15 services, law enforcement, education, emergency medicine, mental
16 health, juvenile delinquency, and drug and alcohol abuse.
17 c. The Commissioner of Health shall develop a mandatory drug
18 overdose death reporting process, pursuant to which health care
19 practitioners, medical examiners, hospitals, emergency medical
20 services providers, local health departments, law enforcement
21 agencies, substance use disorder treatment programs, and relevant
22 social services agencies will be required to confidentially report
23 cases of drug overdose death to the Department of Health in a
24 standardized, uniform format.
25 d. The department shall transmit to the appropriate local drug
26 overdose fatality review team such information as the department
27 has available concerning any drug overdose that occurs within the
28 county served by the local drug overdose fatality review team,
29 including, but not limited to: the individual's age, race, gender,
30 county of residence, and county of death; and the date, manner,
31 cause, and specific circumstances of the overdose death, as recorded
32 on the individual's completed death certificate. In addition, the
33 team may be provided access to the following records related to the
34 individual:

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted June 21, 2021.

²Senate floor amendments adopted December 2, 2021.

1 (1) any relevant information and records maintained by a health
2 care provider related to the individual's physical health, mental
3 health, and substance use disorder treatment; and

4 (2) any relevant information and records maintained by a State
5 or local government agency, including criminal history records and
6 records of probation and parole if the transmission of such records
7 does not imperil ongoing investigations, medical examiner records,
8 social service records, and school records and educational histories.

9 e. Upon receipt of a report of drug overdose death that has
10 been forwarded to a local drug overdose death fatality review team
11 pursuant to subsection d. of this section, the team shall review the
12 reported case in accordance with the provisions of subsection f. of
13 this section.

14 f. Each local drug overdose fatality review team shall:

15 (1) develop methods to help prevent drug overdoses;

16 (2) explore methods to promote cooperation among multi-
17 disciplinary agencies in providing services to individuals with
18 substance use disorders;

19 (3) develop an understanding of the causes of drug overdoses;

20 (4) recommend possible changes to law and policy to prevent
21 drug overdoses; and

22 (5) meet at least quarterly to review drug overdose death cases
23 transmitted to the team pursuant to this section, as well as available
24 criminal, educational, substance abuse, and mental health records of
25 the deceased individuals. Local drug overdose fatality review team
26 meetings shall be closed to the public, and information discussed at
27 the meetings shall be deemed confidential.

28 g. As used in this section:

29 "Drug overdose" means an acute condition including, but not
30 limited to, extreme physical illness, coma, decreased level of
31 consciousness, respiratory depression, or death resulting from the
32 consumption or use of a controlled dangerous substance or another
33 substance with which a controlled dangerous substance was
34 combined and that a layperson would reasonably believe to require
35 medical assistance.¹

36
37 ¹【2. Names and individual identification data collected pursuant
38 to the provisions of this act shall not be disclosed by the
39 Department of Health or a local drug overdose fatality review team
40 member unless required by law, and nothing in this act shall be
41 construed to require disclosure of any private or confidential health
42 information in violation of State or federal privacy laws.
43 Notwithstanding the foregoing, State and local government agencies
44 are directed to share, upon request by the Department of Law and
45 Public Safety for integration into its integrated drug awareness
46 dashboard, or by a local drug overdose fatality review team, such
47 information or records as may be necessary and appropriate for the
48 local drug overdose fatality review team to conduct a review of

1 reported drug overdose deaths pursuant to section 1 of this act or for
2 the Department of Law and Public Safety to integrate into its
3 integrated drug awareness dashboard in order to protect the public
4 health, safety, and welfare.】¹

5
6 ¹【3. The Department of Health, in collaboration with each local
7 drug overdose fatality review team, shall report any findings made
8 pursuant to this act to the Governor and, pursuant to section 2 of
9 P.L.1991, c.164 (C.52:14-19.1), to the Legislature.】¹

10
11 ¹【1. a. The Local Advisory Committee on Alcohol Use
12 Disorder and Substance Use Disorder in each county may establish
13 a local drug overdose fatality review team for that county. A local
14 drug overdose fatality review team may serve one or more counties
15 where practicable. Each local drug overdose fatality review team
16 shall elect a chair.

17 b. Local drug overdose fatality review teams shall consist of
18 individuals with experience and knowledge regarding health, social
19 services, law enforcement, education, emergency medicine, mental
20 health, juvenile delinquency, and drug and alcohol abuse.

21 c. The Commissioner of Health shall develop a mandatory drug
22 overdose death reporting process, pursuant to which health care
23 practitioners, medical examiners, hospitals, emergency medical
24 services providers, local health departments, law enforcement
25 agencies, substance use disorder treatment programs, and relevant
26 social services agencies will be required to confidentially report
27 cases of drug overdose death to the Department of Health in a
28 standardized, uniform format.

29 d. The department shall transmit to the appropriate local drug
30 overdose fatality review team such information as the department
31 has available concerning any drug overdose that occurs within the
32 county served by the local drug overdose fatality review team,
33 including, but not limited to: the individual's age, race, gender,
34 county of residence, and county of death; and the date, manner,
35 cause, and specific circumstances of the overdose death, as recorded
36 on the individual's completed death certificate. In addition, the
37 team may be provided access to the following records related to the
38 individual:

39 (1) any relevant information and records maintained by a health
40 care provider related to the individual's physical health, mental
41 health, and substance use disorder treatment; and

42 (2) any relevant information and records maintained by a State
43 or local government agency, including criminal history records and
44 records of probation and parole if the transmission of such records
45 does not imperil ongoing investigations, medical examiner records,
46 social service records, and school records and educational histories.

47 e. Upon receipt of a report of drug overdose death that has
48 been forwarded to a local drug overdose death fatality review team

1 pursuant to subsection d. of this section, the team shall review the
2 reported case in accordance with the provisions of subsection f. of
3 this section.

4 f. Each local drug overdose fatality review team shall:

5 (1) develop methods to help prevent drug overdoses;

6 (2) explore methods to promote cooperation among multi-
7 disciplinary agencies in providing services to individuals with
8 substance use disorders;

9 (3) develop an understanding of the causes of drug overdoses;

10 (4) recommend possible changes to law and policy to prevent
11 drug overdoses; and

12 (5) meet at least quarterly to review drug overdose death cases
13 transmitted to the team pursuant to this section, as well as available
14 criminal, educational, substance abuse, and mental health records of
15 the deceased individuals. Local drug overdose fatality review team
16 meetings shall be closed to the public, and information discussed at
17 the meetings shall be deemed confidential.

18 g. As used in this section:

19 "Drug overdose" means an acute condition including, but not
20 limited to, extreme physical illness, coma, decreased level of
21 consciousness, respiratory depression, or death resulting from the
22 consumption or use of a controlled dangerous substance or another
23 substance with which a controlled dangerous substance was
24 combined and that a layperson would reasonably believe to require
25 medical assistance.】¹

26

27 ¹1. As used in this act:

28 "Confidential case report" means a report created by a local
29 overdose fatality review team summarizing the data collected and
30 analyzed regarding a confirmed fatal drug overdose.

31 "De-identifiable data" means data or information not containing
32 personally identifiable information.

33 ²["Drug" means a substance which produces a physiological
34 effect when ingested or otherwise introduced into the body.】²

35 "Health care provider" means a physician, advanced practice
36 nurse, or physician assistant acting within the scope of a valid
37 license or certification issued pursuant to Title 45 of the Revised
38 Statutes.

39 "Local team" means a local overdose fatality review team.

40 "Mental health provider" means a psychiatrist, a psychologist, an
41 advanced practice nurse practitioner with a specialty in psychiatric
42 mental health, a clinical social worker, a professional counselor, or
43 a marriage and family therapist who is licensed to provide mental
44 health services pursuant to Title 45 of the Revised Statutes.

45 "Overdose" means "drug overdose" as that term is defined in
46 section 3 of P.L.2013, c.46 (C.24:6J-3).

47 "Personally identifiable information" means any information
48 about an individual that can be used to distinguish or trace an

1 individual's identity, including, but not limited to, an individual's
2 name, address, social security number, date and place of birth,
3 mother's maiden name, biometric records, and medical,
4 educational, financial, and employment information.

5 "Public health purpose" means a purpose of protecting and
6 improving the health of people and their communities. "Public
7 health purpose" includes, but is not limited to, implementing
8 educational programs, recommending policies, administering
9 services, conducting research, and promoting healthcare equity, in
10 an effort to protect the health of entire populations.

11 "Substance use disorder" shall have the same meaning prescribed
12 by the American Psychiatric Association in the Diagnostic and
13 Statistical Manual of Mental Disorders, Fifth Edition, and any
14 subsequent editions, and shall include the symptoms of withdrawal
15 from a substance use disorder.

16 "Substance use disorder treatment provider" means any
17 individual or entity licensed, registered, or certified pursuant to the
18 laws of this State to treat substance use disorders or who holds a
19 current and valid waiver under the federal Drug Addiction
20 Treatment Act of 2000 (Pub. L. 106-310) from the federal
21 Substance Abuse and Mental Health Services Administration to
22 treat individuals with substance use disorder using medications
23 approved for that indication by the United States Food and Drug
24 Administration.¹

25
26 ¹**[2. Names and individual identification data collected pursuant**
27 **to the provisions of this act shall not be disclosed by the**
28 **Department of Health or a local drug overdose fatality review team**
29 **member unless required by law, and nothing in this act shall be**
30 **construed to require disclosure of any private or confidential health**
31 **information in violation of State or federal privacy laws.**
32 **Notwithstanding the foregoing, State and local government agencies**
33 **are directed to share, upon request by the Department of Law and**
34 **Public Safety for integration into its integrated drug awareness**
35 **dashboard, or by a local drug overdose fatality review team, such**
36 **information or records as may be necessary and appropriate for the**
37 **local drug overdose fatality review team to conduct a review of**
38 **reported drug overdose deaths pursuant to section 1 of this act or for**
39 **the Department of Law and Public Safety to integrate into its**
40 **integrated drug awareness dashboard in order to protect the public**
41 **health, safety, and welfare.]**¹

42
43 ¹2. a. (1) A county health department ²**[or a local board of**
44 **health]**² may establish a local overdose fatality review team to
45 conduct a comprehensive review of confirmed overdose fatalities ²,
46 or a sample thereof using an approach authorized by the Department
47 of Health in consultation with the Office of the Chief State Medical

1 Examiner,² in order to better understand the individual and
2 population circumstances and the resources and characteristics of
3 potential overdose victims for the purposes of preventing future
4 overdose deaths and related harms in a locality.

5 (2) A local drug overdose fatality review team may be
6 established to serve ²]:

7 (a)]² one or more counties ²]:

8 (b)] . The Office of the Chief State Medical Examiner may
9 direct a local overdose fatality review team to establish a municipal
10 subcommittee to focus on² a municipality with a population of
11 100,000 persons or more; or

12 ²[(c)]² a municipality with a high overdose rate as determined
13 on annual basis by the Department of Health and the Office of the
14 Chief State Medical Examiner.

15 (3) A local overdose fatality review team shall be under the
16 direction of the county health department ²[or the local board of
17 health, as appropriate,]² and shall be subject to the regulation of the
18 Department of Health. A local team shall work cooperatively with
19 the Local Advisory Committee on Alcohol Use Disorder and
20 Substance Use Disorder, established pursuant to section 4 of
21 P.L.1983, c.531 (C.26:2B-33), if one exists within the local team's
22 jurisdiction. A local team shall cooperate with and provide any
23 information as may be requested by the Office of the Chief State
24 Medical Examiner or the Department of Health ²[through the
25 Deputy Commissioner for Public Health Services]² for public
26 health purposes.

27 b. A local overdose fatality review team shall consist of
28 individuals with experience and knowledge regarding health, social
29 services, law enforcement, education, emergency medicine, mental
30 health, juvenile delinquency, and substance use disorders.

31 (1) At a minimum, each local overdose fatality review team
32 shall include:

33 (a) the ²[municipal or]² county health officer, or a designee;

34 (b) the regional or county medical examiner, or a designee;

35 (c) a member of the Local Advisory Committee on Alcohol Use
36 Disorder and Substance Use Disorder, established pursuant to
37 section 4 of P.L.1983, c.531 (C.26:2B-33), if one exists within the
38 local team's jurisdiction;

39 (d) a State, county, or municipal law enforcement officer or
40 county prosecutor;

41 (e) a substance use disorder health care professional; and

42 (f) the county or municipal director of behavioral health
43 services, or a designee.

44 (2) A local overdose fatality review team may also include any
45 of the following:

46 (a) the superintendent of schools, or a designee;

47 (b) an emergency medical services provider;

1 (c) a representative of a health care facility, including a hospital,
2 health system, or federally qualified health center;

3 (d) a representative of a county jail, detention center, or
4 corrections department;

5 (e) a representative of a county social services agency;

6 (f) ²【a pharmacy permit holder or another】 an² individual with
7 access to the Prescription Monitoring Program established pursuant
8 to section 25 of P.L.2007, c.244 (C.45:1-45);

9 (g) a representative of the local office of the Division of Child
10 Protection and Permanency in the Department of Children and
11 Families;

12 (h) a representative of a county healthcare facility;

13 (i) a representative of a harm reduction center, if one is located
14 in a municipality or county over which the local team exercises
15 jurisdiction; ²【and】²

16 (j) any individual deemed necessary for the work of the local
17 team, as recommended by the chair and approved by a majority vote
18 of the team members and by the Department of Health ²; and

19 (k) a representative of the office of county probation and parole
20 services².¹

21
22 ¹【3. The Department of Health, in collaboration with each local
23 drug overdose fatality review team, shall report any findings made
24 pursuant to this act to the Governor and, pursuant to section 2 of
25 P.L.1991, c.164 (C.52:14-19.1), to the Legislature.】¹

26
27 ¹3. a. A local overdose fatality review team established
28 pursuant to section 2 of this act shall:

29 (1) establish and implement appropriate protocols and
30 procedures that allow the local teams to operate in accordance with
31 applicable State and federal laws;

32 (2) elect, in accordance with the procedures established pursuant
33 to paragraph (1) of this subsection and on an annual basis, a chair,
34 who shall be a member of the local team;

35 (3) collect, analyze, interpret, and maintain local data on
36 overdose deaths, which information shall be maintained by the local
37 team in accordance with all appropriate and industry-standard
38 technical, administrative, and physical controls necessary to protect
39 the privacy and security of the information;

40 (4) conduct, in accordance with Department of Health
41 regulations and guidance, a multidisciplinary review of the
42 information collected pursuant to this section regarding a decedent
43 of a confirmed fatal drug overdose, as selected by the office of the
44 county medical examiner in the county in which the ²【decedent was
45 pronounced dead】 overdose fatality was primarily investigated² and
46 at the direction of the Office of Chief State Medical Examiner,
47 which review shall include, but need not be limited to:

1 (a) consideration of the decedent's points of contact with health
2 care systems, social services, educational institutions, child and
3 family services, the criminal justice system, including law
4 enforcement, and any other systems with which the decedent had
5 contact prior to death; and

6 (b) identification of the specific factors and social determinants
7 of health that put the decedent at risk for an overdose;

8 (5) recommend prevention and intervention strategies to
9 improve the coordination of services and investigations among
10 member agencies in an effort to reduce overdose deaths;

11 (6) produce confidential case reports based on information
12 received, which shall be transmitted to the Department of Health in
13 a form and manner prescribed by the department. The reports and
14 the data used therefor shall only be accessed by the department for
15 public health purposes, in a form and format that is secured to
16 prevent disclosure of personally identifiable information,
17 ² [determined by the department and]² in accordance with
18 applicable State and federal laws; and

19 (7) submit to the Department of Health an annual report ², in a
20 manner prescribed the department, ² containing only de-identified
21 data associated with the jurisdiction served by the local team, which
22 reports may be made available to the public pursuant to P.L.1963,
23 c.73 (C.47:1A-1 et seq.) and shall include, but need not be limited
24 to:

25 (a) the total number of fatal overdoses that occurred within the
26 jurisdiction of the local team;

27 (b) the number of fatal overdose cases investigated by the local
28 overdose fatality team;

29 (c) any recommendations for action by State agencies, local
30 agencies, or the Legislature for preventing fatal overdoses in this
31 State; and

32 (d) any assessable results of any recommendations made by the
33 local team, including, but not limited to, changes in local, county,
34 or State law, policy, or funding made as a result of the local team's
35 recommendations.

36 b. A local overdose fatality review team shall establish policies
37 and procedures to ensure that all records ²in their possession²
38 containing personally identifiable information are ²properly handled
39 and retained and are securely and permanently² destroyed within
40 one year ²of, ² or within a reasonable period of time ², as determined
41 by the Department of Health, ² after ^{2, 2} the conclusion of a local
42 team's review of a decedent's case. The annual report and other
43 public records shall be destroyed in accordance to the requirements
44 of P.L.1953, c.410 (C.47:3-15 et seq.).

45 c. A local team may only request, collect, analyze, and share
46 information for public health purposes directly related to the review
47 of confirmed fatal drug overdoses and, except as otherwise provided

1 in this act, in compliance with all applicable State and federal laws
2 or regulations.¹

3
4 ¹4. a. To the extent not otherwise inconsistent with State and
5 federal laws and only upon written request of the chair of a local
6 overdose fatality review team and as necessary to carry out the
7 official functions of the local team and the provisions of this act, the
8 entities listed in subsection b. of this section may provide a local
9 team with the following information:

10 (1) any relevant information and records maintained by a health
11 care provider related to an individual's physical health, mental
12 health, and substance use disorder treatment; and

13 (2) any relevant information and records maintained by a State
14 or local government agency, including criminal history records and
15 records of probation and parole if the transmission of such records
16 does not imperil ongoing investigations, medical examiner records,
17 social service records, and school records and educational histories.

18 b. The following individuals and ²entities² may disclose, within a
19 reasonable period of time following a request, medical records and
20 information requested pursuant to subsection a. of this section:

- 21 (1) county medical examiners;
22 (2) paid fire departments or volunteer fire companies;
23 (3) hospitals and health systems;
24 (4) law enforcement agencies;
25 (5) State and local government agencies;
26 (6) mental health providers;
27 (7) health care practitioners;
28 (8) substance use disorder treatment programs and providers;
29 (9) public and private schools and institutions of higher
30 education;
31 (10) emergency medical services providers;
32 (11) social services agencies and providers; and
33 (12) the Prescription Monitoring Program.

34 c. An individual or entity subject to a request for information or
35 records by a local overdose fatality review team pursuant to this
36 section may charge the local team a reasonable fee for the service of
37 duplicating any records.

38 d. ²(1)² The chair of a local overdose fatality review team, or the
39 chair's designee, may request individuals authorized under 42
40 C.F.R. Part 2 to provide consent for the release of confidential
41 information protected pursuant to 42 U.S.C. s.290dd-2 and 42
42 C.F.R. Part 2.

43 ²(2) To the extent not otherwise inconsistent with State and
44 federal laws, and as necessary to carry out the official functions of
45 the local team and the provisions of this act, other individuals and
46 entities identified by a local overdose fatality review team as having
47 relevant data for a confidential case report may also provide a local

- 1 team with relevant information in their possession that may contain
2 personally identifiable information.²
- 3 e. A local overdose fatality review team shall develop a
4 confidentiality ²policy and² form establishing: the requirements for
5 maintaining the confidentiality of any information disclosed during
6 a meeting, during review, or at any other time; the responsibilities
7 concerning those requirements; and any penalties associated with
8 failure to maintain such confidentiality. Such requirements shall be
9 in accordance with all applicable State and federal laws and any
10 best practices identified by the Department of Health. An
11 individual shall review the confidentiality ²policy and² form,
12 purpose, and goals of the local team prior to participating in any
13 review. All necessary and reasonable measures shall be taken to
14 prevent the disclosure of a decedent's name or initials at any team
15 meeting.
- 16 f. Information received pursuant to this act may be shared with
17 local team members at a meeting of the local team, provided that
18 each individual present, including staff, has signed and abides by
19 the provisions of the confidentiality ²policy and² form developed
20 pursuant to subsection e. of this section. Such information may be
21 shared with any non-member attendees who meet the criteria of
22 subsection b. of section 2 of this act and whose attendance is
23 approved in accordance with this act, provided that such attendees
24 also sign and abide by the provisions of the confidentiality ²policy
25 and² form.
- 26 g. (1) Meetings of a local team during which confidential
27 information is discussed shall be closed to the public, except that,
28 upon a majority vote of the local team members present, a local
29 team may request and permit an individual who has information
30 relevant to the exercise of the team's duties to attend a team
31 meeting, regardless of whether the individual meets the criteria set
32 forth in subsection b. of section 2 of this act or is a permanent
33 member of the local team. Notice concerning the individual's
34 attendance shall be provided to members of the local team not later
35 than 10 days prior to the meeting at which the individual will be
36 present.
- 37 (2) A representative from the Department of Health, as
38 designated by the Deputy Commissioner for Public Health Services,
39 and a representative from the Office of the Chief State Medical
40 Examiner may attend any meeting of a local overdose fatality
41 review team. Notice concerning a representative's attendance shall
42 be provided to members of the local team not later than 10 days
43 prior to the meeting at which the representative will be present.
- 44 h. Meetings of a local overdose fatality review team shall be
45 exempt from the "Senator Byron M. Baer Open Public Meetings
46 Act," P.L.1975, c.231 (C.10:4-6 et seq.).

1 i. A member of the local overdose fatality review team may
2 contact, interview, or obtain information by request from a family
3 member or friend of an individual whose death is being reviewed by
4 the local team.

5 j. To the extent not otherwise inconsistent with State and federal
6 laws, an entity that provides, in good faith, information or records
7 to a local overdose fatality review team shall not be subject to civil
8 or criminal liability or any professional disciplinary action as a
9 result of providing the information or records.¹

10
11 ¹5. a. Information and records acquired by a local overdose
12 fatality review team, except for information contained within the
13 annual report submitted pursuant to paragraph (7) of subsection a.
14 of section 3 of this act, shall be confidential and shall not be subject
15 to subpoena, discovery, or introduction into evidence in a civil or
16 criminal proceeding or disciplinary or other administrative action.
17 Information and records that are otherwise available from other
18 sources shall not be immune from subpoena, discovery, or
19 introduction into evidence through those sources solely due to the
20 presentation or review of the information or record to or by a local
21 team.

22 b. Information and records created by a local overdose fatality
23 review team shall be considered confidential and shall not be
24 disclosed to the public or considered a government record pursuant
25 to P.L.1963, c.73 (C.47:1A-1 et seq.).

26 c. Substance use disorder treatment records requested by or
27 provided to a local overdose fatality review team shall be subject to
28 any additional limitations on the redisclosure of a medical record
29 developed in connection with the provision of substance use
30 disorder treatment services under State or federal law, including,
31 but not limited to, 42 U.S.C. s.290dd-2 and 42 C.F.R. Part 2.

32 d. Local overdose fatality review team members, and any
33 individual who presents or provides information to a local team,
34 may not be questioned in any civil or criminal proceeding or
35 disciplinary action regarding the information presented or provided,
36 except in an action contesting the validity of the disclosure itself.
37 This subsection shall not prevent an individual from testifying
38 regarding information obtained independently of the local team,
39 public information, or publicly available information.

40 e. The county health department ²[or local board of health, as
41 appropriate,]² shall ensure the privacy, confidentiality, and security
42 of the information provided to a local overdose fatality review team
43 shall be maintained as required by State and federal laws and any
44 local ordinances.

45 f. An individual damaged by the negligent or knowing and
46 willful disclosure of confidential information by a local team or its
47 members may bring an action for damages, costs, and attorney fees
48 consistent with State law. Additionally, the Department of Health

1 may establish penalties for the negligent or knowing and willful
2 disclosure of confidential information by a local team or its
3 members.

4 g. Nothing in this act shall be construed to require the disclosure
5 of any private or confidential health information in violation of
6 State or federal privacy laws.¹

7
8 ¹6. a. The Department of Health, the Office of the Chief State
9 Medical Examiner, ²applicable county and local health
10 departments,² applicable county medical examiner offices, and local
11 overdose fatality review teams may pursue all sources of federal
12 funding, matching funds, and foundation funding available to
13 implement the provisions of this act.

14 b. The Department of Health, the Office of the Chief State
15 Medical Examiner, county medical examiner offices, and local
16 overdose fatality review teams may accept such gifts, grants, and
17 endowments, from public or private sources, as may be made, in
18 trust or otherwise, or any income derived according to the terms of
19 a gift, grant, or endowment, to implement the provisions of this
20 act.¹

21
22 ¹7. a. The Department of Health shall analyze and compile
23 reports from each local overdose fatality review team and submit
24 one Statewide annual overdose fatality report containing
25 information from each local team. The report shall be submitted to
26 the Governor and, pursuant to section 2 of P.L.1991, c.164
27 (C.52:14-19.1), to the Legislature. The report shall be considered a
28 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.).
29 Each publication of the Statewide annual report shall be in a format
30 that does not identify any individual or decedent and does not
31 contain personally ²identifiable or personal² identifying information.

32 b. The Office of the Chief State Medical Examiner may direct
33 all local teams to assist with the coordination of all the relevant
34 information necessary to review a specific decedent case.

35 c. The Department of Health may share data containing de-
36 identified data at any time. The department may only share data
37 containing personally identifiable information if the data is being
38 shared for public health purposes, the sharing of the data is
39 permitted by this act and other applicable laws, and the data is in a
40 form and format that is secured to prevent the disclosure of
41 personally identifiable information. Any publication made
42 available to the public shall be in a format that does not identify any
43 individual or decedent and does not contain personally identifiable
44 information.¹

45
46 ¹8. Any local overdose fatality review team in existence on the
47 date of enactment of this act shall conform to the requirements of,

1 and operate in accordance with, the ²~~requirements~~ provisions² of
2 this act no later than 90 days after the date of enactment of this act.¹

3
4 ¹~~4.~~ ¹9.¹ The Department of Health ¹~~shall~~ may¹ adopt ¹any¹
5 rules and regulations ¹necessary to effectuate the provisions of this
6 act¹, ¹which rules and regulations shall be effective immediately
7 upon filing with the Office of Administrative Law for a period not
8 to exceed six months and which may thereafter be adopted¹
9 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
10 (C.52:14B-1 et seq.) ¹~~],~~ to implement the provisions of this act¹ .

11
12 ¹~~5.~~ ¹10.¹ This act shall take effect ¹~~180~~ 90¹ days after the
13 date of enactment.

14
15
16
17
18 Establishes local drug overdose fatality review teams.