

SENATE, No. 606

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator DECLAN J. O'SCANLON, JR.

District 13 (Monmouth)

Senator TROY SINGLETON

District 7 (Burlington)

Co-Sponsored by:

Senator Pou

SYNOPSIS

Establishes one New Jersey Suicide Prevention Advisory Council in DOH.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 8/27/2020)

1 **AN ACT** establishing the New Jersey Suicide Prevention Advisory
2 Council, revising various parts of the statutory law, and
3 supplementing Title 26 of the Revised Statutes.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. Section 2 of P.L.2005, c.310 (C.18A:6-112) is amended to
9 read as follows:

10 2. The State Board of Education, in consultation with the New
11 Jersey **【Youth Suicide Prevention Advisory Council established in**
12 **the Department of Children and Families pursuant to P.L.2003,**
13 **c.214 (C.30:9A-22 et seq.)】** Suicide Prevention Advisory Council
14 established in the Department of Health pursuant to section 7 of
15 P.L. , c. (C.) (pending before the Legislature as this bill),
16 shall, as part of the professional development requirement
17 established by the State board for public school teaching staff
18 members, require each public school teaching staff member to
19 complete at least two hours of instruction in suicide prevention, to
20 be provided by a licensed health care professional with training and
21 experience in mental health issues, in each professional
22 development period. The instruction in suicide prevention shall
23 include information on the relationship between the risk of suicide
24 and incidents of harassment, intimidation, and bullying and
25 information on reducing the risk of suicide in students who are
26 members of communities identified as having members at high risk
27 of suicide.

28 (cf: P.L.2010, c.122, s.4)
29

30 2. (New section) As used in P.L. , c. (C.) (pending
31 before the Legislature as this bill):

32 "Alcohol and drug counselor" means a person who is a certified
33 alcohol and drug counselor or a licensed clinical alcohol and drug
34 counselor pursuant to P.L.1997, c.331 (C.45:2D-1 et seq.).

35 "Attempted suicide" or "suicide attempt" means destructive
36 behavior intended by the actor to result in the actor's harm or death.

37 "Certified Domestic Violence Specialist" means a person who
38 has fulfilled the requirements for certification as a Domestic
39 Violence Specialist, which have been established by the New Jersey
40 Association of Domestic Violence Professionals.

41 "Completed suicide" means a death that is known or reasonably
42 suspected to have resulted from an intentional act of the deceased,
43 regardless of whether it has been ruled a suicide by a medical
44 examiner.

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.

1 "Council" means the New Jersey Suicide Prevention Advisory
2 Council established pursuant to section 7 of P.L. , c. (C.)
3 (pending before the Legislature as this bill).

4 "Department" means the Department of Health.

5 "Teaching staff member" means a member of the professional
6 staff of any school district, regional board of education, or the board
7 of trustees of a charter school, or any board of education of a county
8 vocational school, who holds an office, position, or employment of
9 such character that the qualifications for the office, position, or
10 employment require the member to hold a valid and effective
11 standard, provisional, or emergency certificate, appropriate to the
12 member's office, position, or employment, issued by the State
13 Board of Examiners. Teaching staff member includes a school
14 nurse and a school athletic trainer.

15 "Youth" means a person 24 years of age or younger.
16

17 3. (New section) a. Any teaching staff member, who, as a
18 result of information obtained in the course of the person's
19 employment, has reasonable cause to suspect or believe that a
20 student has attempted or completed suicide, shall promptly report
21 such information to the department in a form and manner prescribed
22 by the department.

23 b. A nonpublic school is encouraged to require any member of
24 its professional staff, who, as a result of information obtained in the
25 course of the person's employment, has reasonable cause to suspect
26 or believe that a student has attempted or completed suicide, to
27 promptly report such information to the department in a form and
28 manner prescribed by the department.

29 As used in this subsection, "nonpublic school" means an
30 elementary or secondary school within the State, other than a public
31 school, offering education in grades K-12 or any combination
32 thereof, at which a child may legally fulfill compulsory school
33 attendance requirements.

34 c. Any licensed psychologist, social worker, marriage and
35 family therapist, professional counselor, physician, physician
36 assistant, alcohol and drug counselor, or registered nurse or licensed
37 practical nurse licensed in this State pursuant to Title 45 of the
38 Revised Statutes, who, as a result of information obtained in the
39 course of the person's employment, has reasonable cause to suspect
40 or believe that a youth has attempted or completed suicide, shall
41 promptly report such information to the department in a form and
42 manner prescribed by the department.

43 d. Any public health official, probation officer, employee of
44 the Superior Court, Chancery Division, Family Part, Certified
45 Domestic Violence Specialist, or member of a professional group
46 identified by the New Jersey Suicide Prevention Advisory Council
47 established pursuant to section 7 of P.L. , c. (C.) (pending
48 before the Legislature as this bill) as having a likelihood to know

1 about suicide attempts and deaths, who, as a result of information
2 obtained in the course of the person's employment, has reasonable
3 cause to suspect or believe that a person has attempted or completed
4 suicide, is encouraged to promptly report such information to the
5 department in a form and manner prescribed by the department.

6 e. The reporting form established by the department shall not
7 require the reporter to identify the person who attempted or
8 completed suicide by name or other unique identifier, but may
9 require the reporter to supply non-identifying demographic
10 information about the person, as well as information about other
11 suicide attempts made by the person, and the response or referral
12 that was used to deal with the incident that is the subject of the
13 report.

14 f. The reporting form shall be submitted to a designated
15 employee of the department with responsibility for compiling data
16 from the reports. Information contained in the reports shall not be
17 considered a public record, but the department may aggregate the
18 data for the purpose of preparing an annual report pursuant to
19 section 5 of P.L. , c. (C.) (pending before the Legislature
20 as this bill).

21 g. The department shall offer to provide persons who are
22 required or encouraged to report an attempted or completed suicide
23 with current information about public and private assistance
24 available to survivors and families of attempted and completed
25 suicides and professionals who deal with suicide.

26 h. The reporting of an attempted or completed suicide pursuant
27 to this section shall not replace or alter any other requirement of
28 law or professional standard or obligation that requires a person to
29 evaluate a death or report an attempted or completed suicide.

30 i. Any person who reports an attempted or completed suicide
31 pursuant to this act shall have immunity from any civil or criminal
32 liability on account of that report, unless the person has acted in bad
33 faith or with malicious purpose.

34 j. No provision of this act shall be deemed to require the
35 disclosure of, or penalize the failure to disclose, any information
36 which would be privileged pursuant to the provisions of sections 18
37 through 23, inclusive, of P.L.1960, c.52 (C.2A:84A-18 through
38 2A:84A-23).

39
40 4. (New section) The Commissioner of Health, in conjunction
41 with the Commissioners of Human Services and Children and
42 Families, shall develop and publicize, in consultation with the New
43 Jersey Suicide Prevention Advisory Council established pursuant to
44 section 7 of P.L. , c. (C.) (pending before the Legislature
45 as this bill), a public awareness campaign on suicide prevention and
46 intervention, the goals of which shall be to:

1 a. increase voluntary reporting of suicides and attempts at
2 suicide by professionals who are likely to know of suicides and
3 attempts in the course of their employment;

4 b. increase referrals by these professionals to therapeutic
5 services available to persons who contemplate or attempt suicide;

6 c. increase public awareness of the incidence and causes of
7 suicide attempts and decrease the stigma currently associated with
8 depression and suicide; and

9 d. encourage the use by families of short-term and long-term
10 public and private mental health services, as well as other services,
11 to reduce the incidence of attempted and completed suicides by
12 youths.

13
14 5. (New section) a. The department shall compile data about
15 reported attempted and completed suicides by persons in the State,
16 without identifying any individuals involved.

17 b. The Commissioner of Health shall annually issue a report to
18 the New Jersey Suicide Prevention Advisory Council established
19 pursuant to section 7 of P.L. , c. (C.) (pending before the
20 Legislature as this bill), to the Governor, and pursuant to section 2
21 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature containing a
22 summary of the data compiled by the department that includes
23 aggregate demographic information about persons who attempt or
24 complete suicide. The report shall include any recommendations
25 for legislation or regulatory changes that would aid in the collection
26 of more accurate data or the provision of more effective suicide
27 prevention and intervention.

28 c. The commissioner shall provide specific findings about
29 completed suicides and attempted suicides to the council, as soon as
30 possible, to assist the council in fulfilling its responsibility under
31 P.L. , c. (C.) (pending before the Legislature as this bill) to
32 make recommendations about suicide prevention and intervention.

33
34 6. (New section) a. The Commissioner of Children and
35 Families, in consultation with the Department of Human Services,
36 and the New Jersey Suicide Prevention Advisory Council
37 established pursuant to section 7 of P.L. , c. (C.) (pending
38 before the Legislature as this bill), shall develop and adopt a
39 Statewide youth suicide prevention plan no later than 180 days after
40 the effective date of this act.

41 b. The plan shall address, but not be limited to, the:

42 (1) identification of existing State and local sources of data
43 concerning youth suicide deaths, youth suicide attempts, and self-
44 inflicted injuries by youth;

45 (2) coordination and sharing of such data among identified State
46 and local sources;

47 (3) promotion of greater public awareness about youth suicide
48 prevention services and resources;

1 (4) identification of barriers to accessing mental health and
2 substance abuse services, and opportunities to enhance access; and

3 (5) promotion of evidenced-based and best practice programs,
4 listed on the Suicide Prevention Resource Center's Best Practices
5 Registry, for the prevention and treatment of youth suicide and self-
6 injury.

7
8 7. (New section) There is established in the Department of
9 Health the New Jersey Suicide Prevention Advisory Council.

10 a. The purpose of the council shall be to:

11 (1) examine existing needs and services provided by the State
12 and make recommendations to all suicide prevention entities
13 operating under statutory authority for reporting, prevention, and
14 intervention of suicide; advise suicide prevention entities on the
15 content of informational materials to be made available to persons
16 who report an attempted or completed suicide; and advise the
17 entities in the adoption of any regulations the Commissioner of
18 Health deems necessary to carry out the provisions of P.L. ,

19 c. (C.) (pending before the Legislature as this bill); and

20 (2) aggregate data from its members' respective suicide
21 prevention entities, if applicable; make findings on completed
22 suicides and suicide attempts, in a manner that is not violative of
23 federal privacy laws under the "Health Insurance Portability and
24 Accountability Act of 1996," Pub.L.104-191, or any regulations
25 promulgated thereunder by the Secretary of the U.S. Department of
26 Health and Human Services; and share those findings and
27 aggregated data with all member participants to report back to their
28 respective suicide prevention entities.

29 b. The council shall consist of 19 members as follows:

30 (1) the Commissioners of Health, Human Services, Children and
31 Families, Corrections, and Education, the Secretary of Higher
32 Education, the Adjutant General of the Department of Military and
33 Veterans' Affairs, the Executive Director of the Board of Directors
34 of NJ Transit, and the Chief Technology Officer of the Office of
35 Information Technology, or their designees; except that if one of
36 these members has a suitable prevention or mental health entity
37 operating under the control of the member's department,
38 corporation, or office, as applicable, the member shall select a
39 member of that entity as a member of the council, who shall serve
40 ex officio;

41 (2) four public members appointed by the Governor, three of
42 whom are each faculty members at institutions of higher education
43 who have expertise in the area of mental health; and one of whom is
44 either a law enforcement officer in the Office of the Attorney
45 General with expertise related to suicide, or a mental health
46 professional;

47 (3) three public members appointed by the President of the
48 Senate, one of whom has experience as a mental health professional

1 in the private sector with experience in youth suicide prevention
2 and counseling, one of whom has experience as a psychiatrist in the
3 private sector in the provision of services to elderly persons, and
4 one of whom is a licensed clinical alcohol and drug counselor who
5 is also a licensed clinical social worker with experience working
6 with individuals in crisis; and

7 (4) three public members appointed by the Speaker of the
8 General Assembly, each of whom is a current or former mental
9 health professional with experience providing services in a
10 secondary school.

11 c. The public members shall be appointed no later than 60 days
12 after the effective date of P.L. , c. (C.) (pending before the
13 Legislature as this bill).

14 d. The public members shall serve for a term of five years; but,
15 of the members first appointed, four shall serve for a term of three
16 years, three for a term of four years, and three for a term of five
17 years. Members are eligible for reappointment upon the expiration
18 of their terms. Vacancies in the membership of the council shall be
19 filled in the same manner provided for the original appointments.

20 e. The council shall organize as soon as practicable following
21 the appointment of its members, and shall select a chairperson and
22 vice-chairperson from among the members. The chairperson shall
23 appoint a secretary who need not be a member of the council.

24 f. The public members shall serve without compensation, but
25 shall be reimbursed for necessary expenses incurred in the
26 performance of their duties and within the limits of funds available
27 to the council.

28 g. The council shall be entitled to call to its assistance and avail
29 itself of the services of the employees of any State, county, or
30 municipal department, board, bureau, commission, or agency as it
31 may require and as may be available to it for its purposes.

32 h. The Department of Health shall provide staff support to the
33 council.

34 i. The council shall, at a minimum, meet every other month
35 and may meet more frequently as needed, based on a vote of a
36 majority of the members of the council.

37
38 8. (New section) Whenever, in any law, rule, regulation, order,
39 contract, document, judicial or administrative proceeding, or
40 otherwise, reference is made to the New Jersey Youth Suicide
41 Prevention Advisory Council or the New Jersey Elderly Person
42 Suicide Prevention Advisory Council, the same shall mean and refer
43 to the New Jersey Suicide Prevention Advisory Council, established
44 pursuant to section 7 of P.L. , c. (C.) (pending before the
45 Legislature as this bill), in the Department of Health.

46
47 9. The Commissioner of Health shall, in accordance with the
48 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et

1 seq.), adopt any rules and regulations as the commissioner deems
2 necessary to carry out the provisions of this act.

3
4 10. The following sections are repealed:
5 Sections 1 through 4 of P.L.2005, c.274 (C.26:2MM-1 through
6 C.26:2MM-4); and
7 Sections 1 through 7 of P.L.2003, c.214 (C.30:9A-22 through
8 C.30:9A-28).

9
10 11. This act shall take effect immediately.

11
12
13 STATEMENT

14
15 This bill establishes the New Jersey Suicide Prevention Advisory
16 Council in the Department of Health (DOH). The council would
17 serve as the sole advisory council in the State that deals with issues
18 of suicide prevention. Currently, there are two such councils, the
19 New Jersey Youth Suicide Prevention Advisory Council in the
20 Department of Children and Families and the New Jersey Elderly
21 Person Suicide Prevention Advisory Council in the Department of
22 Human Services. By establishing one council, relevant information
23 may be shared among all council members.

24 The 19-member New Jersey Suicide Prevention Advisory
25 Council established under the bill would examine existing needs
26 and services for all those at risk of suicide, and would make
27 recommendations to any suicide prevention entity operating under
28 statutory authority.

29 The eight ex officio members would include the Commissioners
30 of Health, Human Services, Children and Families, Corrections, and
31 Education, the Secretary of Higher Education, the Adjutant General
32 of the Department of Military and Veterans' Affairs, the Executive
33 Director of the Board of Directors of NJ Transit, and the Chief
34 Technology Officer of the Office of Information and Technology,
35 or their designees, except that if one of these members has a
36 suitable prevention or mental health entity operating under their
37 control, the member would be required to select a member of that
38 entity to act as a member of the council.

39 The Governor would appoint four public members, three of
40 whom would be higher education faculty members with expertise in
41 the area of mental health, and one of whom would be either a law
42 enforcement officer in the Office of the Attorney General with
43 expertise related to suicide, or a mental health professional.

44 The President of the Senate would appoint three public members,
45 one of whom has experience as a mental health professional in the
46 private sector with experience in youth suicide prevention and
47 counseling, one of whom has experience as a psychiatrist in the
48 private sector in the provision of services to elderly persons, and

1 one of whom is a licensed clinical alcohol and drug counselor who
2 is also a licensed clinical social worker with experience working
3 with individuals in crisis.

4 The Speaker of the General Assembly would also appoint three
5 public members, each of whom is to be a current or former mental
6 health professional in a secondary school.

7 The bill would repeal sections 1 through 4 of P.L.2005, c.274
8 (C.26:2MM-1 through C.26:2MM-4), which established the New
9 Jersey Elderly Person Suicide Prevention Advisory Council, and
10 sections 1 through 7 of P.L.2003, c.214 (C.30:9A-22 et seq.), which
11 gave certain relevant duties to the Departments of Children and
12 Families and Human Services, since the bill is establishing a single
13 council in the Department of Health, the duties and responsibilities
14 of which are covered under Title 26 of the Revised Statutes.