

SENATE BILL No. 1174

November 8, 2018, Introduced by Senator HANSEN and referred to the Committee on Health Policy.

A bill to provide for the review and prevention of suicides in this state; to allow for the creation of a suicide fatality review task force; and to prescribe powers and duties of certain state and local governmental officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "suicide fatality review act".

3 Sec. 3. As used in this act:

4 (a) "Department" means the department of health and human
5 services.

6 (b) "Suicide fatality review task force" means a suicide
7 fatality review task force established under section 5.

8 Sec. 5. (1) Each county may establish a suicide fatality
9 review task force. Two or more counties may appoint a single

1 suicide fatality review task force for those counties. A suicide
2 fatality review task force must consist of at least 7 individuals
3 who are selected from at least 7 of the following fields:

4 (a) A county medical examiner or deputy medical examiner
5 appointed under 1953 PA 181, MCL 52.201 to 52.216, or his or her
6 representative.

7 (b) A representative of a local law enforcement agency.

8 (c) A representative of the department.

9 (d) A representative of the health care field.

10 (e) A representative of the mental health field.

11 (f) A representative of a local health department.

12 (g) A representative of survivors of suicide loss or attempt.

13 (h) A representative of an intermediate school district.

14 (i) A representative of a local institution of higher
15 learning.

16 (j) A representative of an organization that represents older
17 adults.

18 (2) A suicide fatality review task force may review any
19 suicide occurring in the county or counties that established the
20 suicide fatality review task force.

21 (3) The department shall make available to each member of the
22 suicide fatality review task force a complete description of member
23 responsibilities.

24 (4) Information obtained or created by or for a suicide
25 fatality review task force is confidential and not subject to
26 discovery or the freedom of information act, 1976 PA 442, MCL
27 15.231 to 15.246. Documents created by or for the suicide fatality

1 review task force are not subject to subpoena, except that
2 documents and records otherwise available from other sources are
3 not exempt from subpoena, discovery, or introduction into evidence
4 from other sources solely because they were presented to or
5 reviewed by a suicide fatality review task force. Information
6 relevant to the investigation of a crime may be disclosed by a
7 suicide fatality review task force only to the prosecuting attorney
8 or to a law enforcement agency. A suicide fatality review task
9 force shall disclose information required to be reported under the
10 child protection law, 1975 PA 238, MCL 722.621 to 722.638, to the
11 department. A prosecuting attorney, a law enforcement agency, and
12 the department may use information received under this subsection
13 in carrying out their lawful responsibilities. Individuals and the
14 organizations represented by individuals who participate as members
15 of a suicide fatality review task force shall sign a
16 confidentiality agreement acknowledging the confidentiality
17 provisions of this section.

18 (5) An individual who provides information to a suicide
19 fatality review task force shall sign a notice acknowledging that
20 any information he or she provides to a suicide fatality review
21 task force shall be kept confidential by the suicide fatality
22 review task force, but is subject to possible disclosure to the
23 prosecuting attorney, a law enforcement agency, or the department
24 as provided in subsection (4).

25 (6) Suicide fatality review task force meetings are closed to
26 the public and are not subject to the open meetings act, 1976 PA
27 267, MCL 15.261 to 15.275. Information identifying an individual

1 whose cause of death is a suicide or whose case is being reviewed,
2 or that individual's family members, or an alleged or suspected
3 perpetrator of abuse upon the individual, or regarding the
4 involvement of any agency with the individual or that individual's
5 family, must not be disclosed in any report that is available to
6 the public. However, analysis, process improvement, and other
7 findings and de-identified and aggregated data may be released to
8 the public, health officials, or organizations to improve public
9 health.

10 Enacting section 1. This act takes effect 90 days after the
11 date it is enacted into law.