

ENGROSSED LEGISLATIVE BILL 414

Introduced by Dungan, 26.

A BILL FOR AN ACT relating to public health and welfare; to establish a suicide mortality review team; to define terms; to provide for powers and duties; and to require a report as prescribed.

Be it enacted by the people of the State of Nebraska,

Section 1. (1) The suicide mortality review team is established in the Department of Veterans' Affairs.

(2) For purposes of sections 1 to 6 of this act:

(a) Department means the Department of Veterans' Affairs;

(b) Director means the Director of the Department of Veterans' Affairs or the director's designee; and

(c) Review team means the suicide mortality review team established in subsection (1) of this section.

Sec. 2. (1) The suicide mortality review team shall consist of the following members: (a) The director; (b) a representative of the Nebraska Violent Death Reporting System; (c) a representative of Nebraska Local Outreach to Suicide Loss Survivors; and (d) a representative of the Division of Behavioral Health of the Department of Health and Human Services.

(2) The director shall appoint the following individuals to be additional members of the suicide mortality review team: (a) An education administrator; (b) a hospital representative; (c) an emergency medical services representative; (d) a member of law enforcement; (e) a mental health professional or a licensed clinical social worker; (f) a veteran representative; and (g) additional members as needed.

(3) The department shall provide professional and administrative support to the review team.

Sec. 3. The suicide mortality review team shall:

(1) Develop a suicide mortalities data collection system;

(2) Conduct an annual analysis of the incidences and causes of suicides in this state during the preceding fiscal year;

(3) Develop protocols for suicide investigations, including protocols for law enforcement agencies, prosecutors, medical examiners, health care facilities, and social service agencies;

(4) Study the adequacy of statutes, ordinances, rules, training, and services to determine the changes required to decrease the incidence of preventable suicides and, as appropriate, take steps to implement these changes;

(5) Educate the public regarding the incidences and causes of suicide and the public's role in preventing these deaths; and

(6) Designate a member of the suicide mortality review team to serve as chairperson.

Sec. 4. The review team shall establish a cooperative agreement with the Nebraska Violent Death Reporting System to allow for the sharing and storing of all information relevant to the review team's review process, including, but not limited to, data collection and reporting within the Nebraska Violent Death Reporting System.

Sec. 5. (1) Upon request by the director, a county attorney or the Attorney General may issue a subpoena to compel the production of any records or information specified in this section. Any subpoenaed information shall be entered into the Nebraska Violent Death Reporting System and provided to the review team using an aggregate narrative only. Such sources include, but are not limited to, (a) death investigation reports from a coroner, (b) forensic autopsy reports, (c) subject to subsection (3) of this section, law enforcement reports, including probation and corrections reports, (d) medical records and discharge notes, including hospital, primary care, outpatient, and specialist records, (e) mental health therapy notes, (f) substance use or treatment reports, (g) school records, (h) emergency medical services data, (i) prescription drug monitoring program data, (j) toxicology findings, (k) interviews with next of kin when available and willing to participate, and (l)

employment records.

(2) A review team shall have access to information and records relating to a suicide under review by the review team. Within five business days of a review team's request, it shall be provided with access to the information requested.

(3) A law enforcement agency, with the approval of the prosecuting attorney, may withhold from a review team investigative records that may interfere with a pending criminal investigation or prosecution.

(4) All information and records acquired by a review team are confidential and are not subject to subpoena, discovery, or introduction into evidence in any civil or criminal proceeding, except that information, documents, and records that are otherwise available from other sources are not immune from subpoena, discovery, or introduction into evidence through those sources solely because they were presented to, or reviewed by, a review team.

(5) Members of a review team, individuals attending a review team meeting, and individuals who present information to a review team shall not be questioned in any civil or criminal proceeding regarding information presented in a meeting or opinions formed as a result of a meeting. This subsection does not prevent an individual from testifying to information that is obtained independently of a review conducted by a review team or that is public information.

(6) A member of a review team may contact, interview, or request information from a family member of an individual who died by suicide. The review team shall approve any contact, interview, or request before the review team member contacts, interviews, or requests information from such family member.

Sec. 6. (1)(a) No later than April 1, 2026, and each April 1 thereafter, the review team shall prepare and submit electronically to the Clerk of the Legislature, the Department of Health and Human Services, and other nonprofit organizations, a report that summarizes the following information for each individual who died by suicide reviewed by the review team in the previous

calendar year: (i) Cause of death; (ii) factors contributing to the death; (iii) age; (iv) sex; (v) race; (vi) geographic location at the time of death; and (vii) date of death.

(b) The report shall also include the number of suicide deaths that were not reviewed in the previous calendar year.

(2) The report may include recommendations for actions that may prevent additional suicide deaths and any other information, as determined by the review team.

PRESIDENT OF THE LEGISLATURE

THIS IS TO CERTIFY that the within LB 414 was passed by the One Hundred Ninth Legislature of Nebraska at its First Session on the day of 20.....

CLERK OF THE LEGISLATURE

Approved:

..... 20....., o'clockM.

GOVERNOR