

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 414

Introduced by Dungan, 26.

Read first time January 17, 2025

Committee:

- 1 A BILL FOR AN ACT relating to public health and welfare; to establish a
- 2 suicide mortality review team; to define terms; to provide for
- 3 powers and duties; and to require a report as prescribed.
- 4 Be it enacted by the people of the State of Nebraska,

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

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

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

5 (b) Director means the Director of Behavioral Health for the
6 Department of Veterans' Affairs; and

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

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

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

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

23 **Sec. 3.** The suicide mortality review team shall:

24 (1) Develop a suicide mortalities data collection system;

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

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

30 (4) Study the adequacy of statutes, ordinances, rules, training, and
31 services to determine the changes required to decrease the incidence of

1 preventable suicides and, as appropriate, take steps to implement these
2 changes;

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

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

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

12 **Sec. 5.** (1) The director and the representative of the Nebraska
13 Violent Death Reporting System may apply for a subpoena for purposes of
14 collecting data and information from all necessary sources. Such
15 subpoenaed information shall be entered into the Nebraska Violent Death
16 Reporting System and provided to the review team using an aggregate
17 narrative only. Such sources include, but are not limited to, (a) death
18 investigation reports from a coroner, (b) forensic autopsy reports, (c)
19 subject to subsection (3) of this section, law enforcement reports,
20 including probation and corrections reports, (d) medical records and
21 discharge notes, including hospital, primary care, outpatient, and
22 specialist records, (e) mental health therapy notes, (f) substance use or
23 treatment reports, (g) school records, (h) emergency medical services
24 data, (i) prescription drug monitoring program data, (j) toxicology
25 findings, (k) interviews with next of kin when available and willing to
26 participate, and (l) employment records.

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

31 (3) A law enforcement agency, with the approval of the prosecuting

1 attorney, may withhold from a review team investigative records that may
2 interfere with a pending criminal investigation or prosecution.

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

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

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

22 **Sec. 6.** (1)(a) No later than April 1, 2026, and each April 1
23 thereafter, the review team shall prepare and submit electronically to
24 the Clerk of the Legislature, the Department of Health and Human
25 Services, and other non-profit organizations, a report that summarizes
26 the following information for each individual who died by suicide
27 reviewed by the review team in the previous calendar year: (1) Cause of
28 death; (2) factors contributing to the death; (3) age; (4) sex; (5) race;
29 (6) geographic location at the time of death; and (7) date of death.

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

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