

STATE OF NEW YORK

976

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. ROLISON -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to authorizing local or regional accidental fatality review teams

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Article 2 of the public health law is amended by adding a
2 new title 9 to read as follows:

TITLE 9

LOCAL OR REGIONAL ACCIDENTAL FATALITY REVIEW TEAMS

5 Section 269-e. Local or regional accidental fatality review teams.

6 § 269-e. Local or regional accidental fatality review teams. 1. An
7 accidental fatality review team may be established at a local or
8 regional level, with the approval of the department, for the purpose of
9 investigating the unexpected or unexplained death of any person includ-
10 ing but not limited to deaths suspected to be caused by overdose or
11 suicide.

12 2. For the purposes of this section, a local or regional accidental
13 fatality review team shall include, but need not be limited to, repre-
14 sentatives from the department, county department of health, or, should
15 the locality not have a county department of health, the local health
16 commissioner or such commissioner's designee or the local public health
17 director or such director's designee, office of mental health, office of
18 alcoholism and substance abuse, county department of mental health,
19 office of the medical examiner, or, should the locality not have a
20 medical examiner, office of the coroner, office of the district attor-
21 ney, office of the county attorney, local and state law enforcement,
22 emergency medical services, a physician or comparable medical profes-
23 sional, preferably with expertise in the areas of substance abuse or
24 mental health, and a substance abuse program provider. A local or

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 regional accidental fatality review team may also include represen-
2 tatives from medical facilities, including hospitals or other appropri-
3 ate agencies or institutions, domestic violence agencies, and substance
4 abuse programs.

5 3. A local or regional accidental fatality review team established
6 pursuant to this section shall have access to all records, except those
7 protected by statutory privilege, within twenty-one days of receipt of a
8 request.

9 4. Members of a local or regional accidental fatality review team,
10 persons attending a meeting of a local or regional accidental fatality
11 review team, and persons who present information to a local or regional
12 accidental fatality review team shall have immunity from civil and crim-
13 inal liability for all reasonable and good faith actions taken pursuant
14 to this section, and shall not be questioned in any civil or criminal
15 proceeding regarding any opinions formed as a result of a meeting of a
16 local or regional accidental fatality review team. Nothing in this
17 section shall be construed to prevent a person from testifying as to
18 information obtained independently of a local or regional accidental
19 fatality review team or which is public information.

20 5. (a) All meetings conducted and all reports and records made and
21 maintained, and books and papers obtained, by a local or regional acci-
22 dental fatality review team shall be confidential and not open to the
23 general public except by court order and except for an annual report or
24 a fatality report, if the fatality review team chooses to complete such
25 an annual report or fatality report. Any such annual report or fatality
26 report shall not contain any individually identifiable information and
27 shall be provided to the department upon completion. The department
28 shall forward copies of any such report to all other local or regional
29 accidental fatality review teams established pursuant to this section,
30 and to the governor, the temporary president of the senate and the
31 speaker of the assembly.

32 (b) Any fatality report completed pursuant to this section shall
33 include (i) the cause of death, whether from natural or other causes,
34 (ii) identification of any services provided or actions taken regarding
35 such person and the person's family including prior to such person's
36 death, (iii) any extraordinary or pertinent information concerning the
37 circumstances of such person's death, (iv) any action or further inves-
38 tigation undertaken by the department since the death of the person, and
39 (v) as appropriate, recommendations for local or state administrative or
40 policy changes.

41 § 2. This act shall take effect on the ninetieth day after it shall
42 have become a law. Effective immediately, the addition, amendment and/or
43 repeal of any rule or regulation necessary for the implementation of
44 this act on its effective date are authorized to be made and completed
45 on or before such effective date.