

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 2798

By: Downing, McCall, Sanders,
West (Tammy), Blancett,
Bush, Frix and O'Donnell of
the House

and

Griffin of the Senate

9 An Act relating to public health and safety; creating
10 the Opioid Overdose Fatality Review Board ***
11 providing for codification; and providing an
12 effective date.

13 AUTHOR: Add the following Senate Coauthor: Sharp

14 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
15 entire bill and insert

16 "An Act relating to controlled dangerous substances;
17 amending 25 O.S. 2011, Section 307, as amended by
18 Section 1, Chapter 109, O.S.L. 2015 (25 O.S. Supp.
19 2017, Section 307), which relates to Executive
20 Sessions; modifying inclusions; creating the Opioid
21 Abuse Prevention and Treatment Act of 2018; providing
22 for powers and duties; providing for promulgation of
23 rules; providing for adherence to the Oklahoma Open
24 Meeting Act; requiring certain annual report;
providing for membership; requiring certain
documentation be provided monthly; providing for
codification; and providing an effective date.

1 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

2 SECTION 1. AMENDATORY 25 O.S. 2011, Section 307, as
3 amended by Section 1, Chapter 109, O.S.L. 2015 (25 O.S. Supp. 2017,
4 Section 307), is amended to read as follows:

5 Section 307. A. No public body shall hold executive sessions
6 unless otherwise specifically provided in this section.

7 B. Executive sessions of public bodies will be permitted only
8 for the purpose of:

9 1. Discussing the employment, hiring, appointment, promotion,
10 demotion, disciplining or resignation of any individual salaried
11 public officer or employee;

12 2. Discussing negotiations concerning employees and
13 representatives of employee groups;

14 3. Discussing the purchase or appraisal of real property;

15 4. Confidential communications between a public body and its
16 attorney concerning a pending investigation, claim, or action if the
17 public body, with the advice of its attorney, determines that
18 disclosure will seriously impair the ability of the public body to
19 process the claim or conduct a pending investigation, litigation, or
20 proceeding in the public interest;

21 5. Permitting district boards of education to hear evidence and
22 discuss the expulsion or suspension of a student when requested by
23 the student involved or the student's parent, attorney or legal
24 guardian;

- 1 6. Discussing matters involving a specific handicapped child;
- 2 7. Discussing any matter where disclosure of information would
- 3 violate confidentiality requirements of state or federal law;
- 4 8. Engaging in deliberations or rendering a final or
- 5 intermediate decision in an individual proceeding pursuant to
- 6 Article II of the Administrative Procedures Act; or
- 7 9. Discussing the following:
 - 8 a. the investigation of a plan or scheme to commit an act
 - 9 of terrorism,
 - 10 b. assessments of the vulnerability of government
 - 11 facilities or public improvements to an act of
 - 12 terrorism,
 - 13 c. plans for deterrence or prevention of or protection
 - 14 from an act of terrorism,
 - 15 d. plans for response or remediation after an act of
 - 16 terrorism,
 - 17 e. information technology of the public body but only if
 - 18 the discussion specifically identifies:
 - 19 (1) design or functional schematics that demonstrate
 - 20 the relationship or connections between devices
 - 21 or systems,
 - 22 (2) system configuration information,
 - 23 (3) security monitoring and response equipment
 - 24 placement and configuration,

- 1 (4) specific location or placement of systems,
- 2 components or devices,
- 3 (5) system identification numbers, names, or
- 4 connecting circuits,
- 5 (6) business continuity and disaster planning, or
- 6 response plans, or
- 7 (7) investigation information directly related to
- 8 security penetrations or denial of services, or

9 f. the investigation of an act of terrorism that has
10 already been committed.

11 For the purposes of this subsection, the term "terrorism" means
12 any act encompassed by the definitions set forth in Section 1268.1
13 of Title 21 of the Oklahoma Statutes.

14 C. Notwithstanding the provisions of subsection B of this
15 section, the following public bodies may hold executive sessions:

16 1. The State Banking Board, as provided for under Section 306.1
17 of Title 6 of the Oklahoma Statutes;

18 2. The Oklahoma Industrial Finance Authority, as provided for
19 in Section 854 of Title 74 of the Oklahoma Statutes;

20 3. The Oklahoma Development Finance Authority, as provided for
21 in Section 5062.6 of Title 74 of the Oklahoma Statutes;

22 4. The Oklahoma Center for the Advancement of Science and
23 Technology, as provided for in Section 5060.7 of Title 74 of the
24 Oklahoma Statutes;

1 5. The Oklahoma Savings and Loan Board, as provided for under
2 subsection A of Section 381.74 of Title 18 of the Oklahoma Statutes;

3 6. The Oklahoma Health Research Committee for purposes of
4 conferring on matters pertaining to research and development of
5 products, if public disclosure of the matter discussed would
6 interfere with the development of patents, copyrights, products, or
7 services;

8 7. A review committee, as provided for in Section 855 of Title
9 62 of the Oklahoma Statutes;

10 8. The Child Death Review Board for purposes of receiving and
11 conferring on matters pertaining to materials declared confidential
12 by law;

13 9. The Domestic Violence Fatality Review Board, as provided in
14 Section 1601 of Title 22 of the Oklahoma Statutes;

15 10. The Opioid Overdose Fatality Review Board, as provided in
16 Section 2 of this act;

17 11. All nonprofit foundations, boards, bureaus, commissions,
18 agencies, trusteeships, authorities, councils, committees, public
19 trusts, task forces or study groups supported in whole or part by
20 public funds or entrusted with the expenditure of public funds for
21 purposes of conferring on matters pertaining to economic
22 development, including the transfer of property, financing, or the
23 creation of a proposal to entice a business to remain or to locate
24 within their jurisdiction if public disclosure of the matter

1 discussed would interfere with the development of products or
2 services or if public disclosure would violate the confidentiality
3 of the business;

4 ~~11.~~ 12. The Oklahoma Indigent Defense System Board for purposes
5 of discussing negotiating strategies in connection with making
6 possible counteroffers to offers to contract to provide legal
7 representation to indigent criminal defendants and indigent
8 juveniles in cases for which the System must provide representation
9 pursuant to the provisions of the Indigent Defense System Act; and

10 ~~12.~~ 13. The Quality Investment Committee for purposes of
11 discussing applications and confidential materials pursuant to the
12 terms of the Oklahoma Quality Investment Act.

13 D. Except as otherwise specified in this subsection, an
14 executive session for the purpose of discussing the purchase or
15 appraisal of real property shall be limited to members of the public
16 body, the attorney for the public body and the immediate staff of
17 the public body. No landowner, real estate salesperson, broker,
18 developer or any other person who may profit directly or indirectly
19 by a proposed transaction concerning real property which is under
20 consideration may be present or participate in the executive
21 session, unless they are operating under an existing agreement to
22 represent the public body.

23 E. No public body may go into an executive session unless the
24 following procedures are strictly complied with:

1 1. The proposed executive session is noted on the agenda as
2 provided in Section 311 of this title;

3 2. The executive session is authorized by a majority vote of a
4 quorum of the members present and the vote is a recorded vote; and

5 3. Except for matters considered in executive sessions of the
6 State Banking Board and the Oklahoma Savings and Loan Board, and
7 which are required by state or federal law to be confidential, any
8 vote or action on any item of business considered in an executive
9 session shall be taken in public meeting with the vote of each
10 member publicly cast and recorded.

11 F. A willful violation of the provisions of this section shall:

12 1. Subject each member of the public body to criminal sanctions
13 as provided in Section 314 of this title; and

14 2. Cause the minutes and all other records of the executive
15 session, including tape recordings, to be immediately made public.

16 SECTION 2. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 2-1001 of Title 63, unless there
18 is created a duplication in numbering, reads as follows:

19 A. There is hereby created until July 1, 2023, in accordance
20 with the Oklahoma Sunset Law, the Opioid Overdose Fatality Review
21 Board within the Department of Mental Health and Substance Abuse
22 Services. The Board shall have the power and duty to:

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24

1 1. Coordinate and integrate state and local efforts to address
2 overdose deaths and create a body of information to prevent overdose
3 deaths;

4 2. Conduct case reviews of deaths of persons eighteen (18)
5 years of age or older due to licit or illicit opioid use in this
6 state;

7 3. Collect, analyze and interpret state and local data on
8 opioid overdose deaths;

9 4. Develop a state and local database on opioid overdose
10 deaths;

11 5. Improve policies, procedures and practices within the
12 agencies in order to prevent fatal opioid overdoses and to serve
13 victims of unintentional overdose; and

14 6. Enter into agreements with other state, local or private
15 entities as necessary to carry out the duties of the Opioid Overdose
16 Fatality Review Board, including but not limited to, conducting
17 joint reviews with the Child Death Review Board on unintentional
18 overdose cases involving child death and child near-death incidents.

19 B. In carrying out its duties and responsibilities, the Board
20 shall:

21 1. Promulgate rules establishing criteria for identifying cases
22 involving an opioid overdose death subject to specific, in-depth
23 review by the Board;

24

- 1 2. Conduct a specific case review of those cases where the
2 cause of death is or may be related to overdose of opioid drugs;
- 3 3. Establish and maintain statistical information related to
4 opioid overdose deaths including, but not limited to, demographic
5 and medical diagnostic information;
- 6 4. Establish procedures for obtaining initial information
7 regarding opioid overdose deaths from law enforcement agencies;
- 8 5. Review the policies, practices and procedures of medical
9 systems and law enforcement systems and other overdose protection
10 and prevention systems, and make specific recommendations to those
11 entities for actions necessary for the improvement of the system;
- 12 6. Request and obtain a copy of all records and reports
13 pertaining to an adult whose case is under review including, but not
14 limited to:
 - 15 a. the report of the medical examiner,
 - 16 b. hospital records,
 - 17 c. school records,
 - 18 d. court records,
 - 19 e. prosecutorial records,
 - 20 f. local, state and federal law enforcement records
21 including, but not limited to, the Oklahoma State
22 Bureau of Investigation (OSBI) and Oklahoma Bureau of
23 Narcotics and Dangerous Drugs Control (OBN),
 - 24 g. fire department records,

- 1 h. State Department of Health records, including birth
- 2 certificate records,
- 3 i. medical and dental records,
- 4 j. Department of Mental Health and Substance Abuse
- 5 Services and other mental health records,
- 6 k. emergency medical service records,
- 7 l. files of the Department of Human Services, and
- 8 m. records in the possession of the Child Death Review
- 9 Board when conducting a joint review in accordance
- 10 with paragraph 6 of subsection A of this section.

11 Confidential information provided to the Board shall be maintained
12 by the Board in a confidential manner as otherwise required by state
13 and federal law. Any person damaged by disclosure of such
14 confidential information by the Board or its members which is not
15 authorized by law may maintain an action for damages, costs and
16 attorney fees pursuant to The Governmental Tort Claims Act;

17 7. Maintain all confidential information, documents and records
18 in possession of the Board as confidential and not subject to
19 subpoena or discovery in any civil or criminal proceedings; provided
20 however, information, documents and records otherwise available from
21 other sources shall not be exempt from subpoena or discovery through
22 those sources solely because such information, documents and records
23 were presented to or reviewed by the Board;

1 8. Conduct reviews of specific cases of opioid overdose deaths
2 and request the preparation of additional information and reports as
3 determined to be necessary by the Board including, but not limited
4 to, clinical summaries from treating physicians, chronologies of
5 contact and second-opinion autopsies;

6 9. Report, if recommended by a majority vote of the Board, to
7 the Governor, the President Pro Tempore of the Senate and the
8 Speaker of the House of Representatives any information and guidance
9 regarding the prevention and protection system to advise on changing
10 trends in overdose rates, substances, methods or any other factor
11 impacting overdose deaths, including any systemic issue within the
12 medical, law enforcement or other relevant systems discovered by the
13 Board while performing its duties; and

14 10. Exercise all incidental powers necessary and proper for the
15 implementation and administration of the Opioid Overdose Fatality
16 Review Board.

17 C. The review and discussion of individual cases of an opioid
18 overdose death shall be conducted in executive session. All other
19 business shall be conducted in accordance with the provisions of the
20 Oklahoma Open Meeting Act. All discussions of individual cases and
21 any writings produced by or created for the Board in the course of
22 determining a remedial measure to be recommended by the Board, as
23 the result of a review of an individual case of an opioid overdose
24 death, shall be privileged and shall not be admissible in evidence

1 in any proceeding. The Board shall periodically conduct meetings to
2 discuss organization and business matters and any actions or
3 recommendations aimed at improvement of the medical system or law
4 enforcement system which shall be subject to the Oklahoma Open
5 Meeting Act. Part of any meeting of the Board may be specifically
6 designated as a business meeting of the Board subject to the
7 Oklahoma Open Meeting Act.

8 D. The Board shall submit an annual statistical report on the
9 incidence and causes of opioid overdose deaths in this state for
10 which the Board has completed its review during the past calendar
11 year including its recommendations, if any, to the medical and law
12 enforcement system. The Board shall also prepare and make available
13 to the public, on an annual basis, a report containing a summary of
14 the activities of the Board relating to the review of opioid
15 overdose deaths, the extent to which the state medical and law
16 enforcement system is coordinated and an evaluation of whether the
17 state is efficiently discharging its responsibilities to prevent
18 opioid overdose deaths. The report shall be completed no later than
19 February 1 of the subsequent year.

20 SECTION 3. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 2-1002 of Title 63, unless there
22 is created a duplication in numbering, reads as follows:

23 A. The Opioid Overdose Fatality Review Board shall be composed
24 of twenty (20) members, or their designees, as follows:

1 1. Ten of the members shall be:

- 2 a. the Attorney General or designee,
- 3 b. the Chief Medical Examiner or designee,
- 4 c. the State Commissioner of Health or designee,
- 5 d. the Chief of Injury Prevention Services of the State
- 6 Department of Health or designee,
- 7 e. the President of the Oklahoma State Medical
- 8 Association or designee,
- 9 f. the Director of the Oklahoma Bureau of Narcotics and
- 10 Dangerous Drugs Control or designee,
- 11 g. the Commissioner of the Department of Mental Health
- 12 and Substance Abuse Services or designee,
- 13 h. the President of the Oklahoma Osteopathic Association
- 14 or designee,
- 15 i. the Director of the Department of Human Services or
- 16 designee, and
- 17 j. the Director of the Oklahoma State Bureau of
- 18 Investigation or designee; and

19 2. Ten of the members shall be appointed by the Attorney
20 General, shall serve for terms of two (2) years and shall be
21 eligible for reappointment. The members shall be persons having
22 training and experience in matters related to opioid abuse and
23 prevention. The appointed members shall include:
24

- 1 a. a county sheriff selected from a list of three names
2 submitted by the executive board of the Oklahoma
3 Sheriffs' Association,
- 4 b. a chief of a municipal police department selected from
5 a list of three names submitted by the Oklahoma
6 Association of Chiefs of Police,
- 7 c. an attorney licensed in this state who is in private
8 practice selected from a list of three names submitted
9 by the Board of Governors of the Oklahoma Bar
10 Association,
- 11 d. a district attorney selected from a list of three
12 names submitted by the District Attorneys Council,
- 13 e. a physician with emergency medical training selected
14 from a list of three names submitted by the Oklahoma
15 State Medical Association,
- 16 f. a physician with experience in drug addiction
17 treatment and recovery selected from a list of three
18 names submitted by the Oklahoma Osteopathic
19 Association,
- 20 g. a nurse selected from a list of three names submitted
21 by the Oklahoma Nurses Association,
- 22 h. two individuals, at least one of whom shall be a
23 person who currently receives or formerly has been a
24 consumer of addiction recovery services related to

1 opioid use, selected from a list of three names
2 submitted by the Oklahoma Department of Mental Health
3 and Substance Abuse Services, and

4 i. a member of the judiciary selected from a list of
5 three names submitted by the Oklahoma Supreme Court.

6 B. Every two (2) years the Board shall elect from among its
7 membership a chair and a vice-chair. The Board shall meet at least
8 quarterly and may meet more frequently as necessary as determined by
9 the chair. Members shall serve without compensation but may be
10 reimbursed for necessary travel out of funds available to the Office
11 of the Attorney General and the Department of Mental Health and
12 Substance Abuse Services, pursuant to the State Travel Reimbursement
13 Act; provided, that the reimbursement shall be paid in the case of
14 state employee members by the agency employing the member.

15 C. With funds appropriated or otherwise available for that
16 purpose, the Office of the Attorney General, jointly with the
17 Department of Mental Health and Substance Abuse Services, shall
18 provide administrative assistance and services to the Opioid
19 Overdose Fatality Review Board.

20 SECTION 4. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 2-1003 of Title 63, unless there
22 is created a duplication in numbering, reads as follows:

23 A. Beginning November 1, 2018, the Center for Health Statistics
24 of the State Department of Health shall forward to the Office of the

1 Chief Medical Examiner on a monthly basis, copies of all death
2 certificates of persons over eighteen (18) years of age received by
3 the Center for Health Statistics during the preceding month whereby
4 the cause of death was due to an overdose of licit or illicit drugs
5 including opioids meeting the Centers for Disease Control and
6 Prevention guidelines for opioid-related deaths.

7 B. The Office of Chief Medical Examiner shall conduct an
8 initial review of overdose death certificates in accordance with the
9 criteria established by the Opioid Overdose Fatality Review Board
10 and refer to the Board those cases that meet the criteria
11 established by the Board for specific case review.

12 C. Upon the request of the Board, every entity within the
13 medical and law enforcement system shall provide to the Board any
14 information requested by the Board relevant to the discharge of its
15 duties, unless otherwise prohibited by state or federal law.

16 SECTION 5. This act shall become effective November 1, 2018."
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1 Passed the Senate the 25th day of April, 2018.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2018.

7
8 _____
9 Presiding Officer of the House
10 of Representatives

1 ENGROSSED HOUSE
2 BILL NO. 2798

By: Downing, McCall, Sanders,
West (Tammy), Blancett,
Bush, Frix and O'Donnell of
the House

4 and

5 Griffin of the Senate

6
7
8 An Act relating to public health and safety; creating
9 the Opioid Overdose Fatality Review Board; stating
10 powers and duties of the Board; providing list of
11 duties and responsibilities of the Board; requiring
12 Board to meet in executive session when reviewing and
13 discussing overdose cases; making certain discussions
14 and documents privileged and inadmissible in
15 proceedings; requiring business meetings conducted by
16 the Board be in compliance with the Oklahoma Open
17 Meeting Act; directing Board to submit and make
18 available to the public annual statistical reports
19 and summary of activities by certain date; providing
20 for membership of the Board; providing for election
21 of chair and vice-chair; requiring Board to meet on
22 quarterly basis; providing for travel reimbursement;
23 directing Office of the Attorney General to provide
24 administrative assistance and services to the Board;
requiring the Center for Health Statistics of the
Department of Health to forward certain death
certificates to the Office of the Chief Medical
Examiner; directing Office of Chief Medical Examiner
to conduct reviews of overdose death certificates;
requiring medical and law enforcement entities to
provide information to the Board upon request;
providing for codification; and providing an
effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 6. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 2-1001 of Title 63, unless there
3 is created a duplication in numbering, reads as follows:

4 A. There is hereby created until July 1, 2023, in accordance
5 with the Oklahoma Sunset Law, the Opioid Overdose Fatality Review
6 Board within the Office of the Attorney General. The Board shall
7 have the power and duty to:

8 1. Conduct case reviews of deaths of persons eighteen (18)
9 years of age or older due to licit or illicit opioid use in this
10 state;

11 2. Collect, analyze and interpret state and local data on
12 opioid overdose deaths;

13 3. Develop a state and local database on opioid overdose
14 deaths;

15 4. Improve policies, procedures and practices within the
16 agencies in order to prevent fatal opioid overdoses; and

17 5. Enter into agreements with other state, local or private
18 entities as necessary to carry out the duties of the Opioid Overdose
19 Fatality Review Board.

20 B. In carrying out its duties and responsibilities, the Board
21 shall:

22 1. Promulgate rules establishing criteria for identifying cases
23 involving an opioid overdose death subject to specific, in-depth
24 review by the Board;

- 1 2. Conduct a specific case review of those cases where the
2 cause of death is or may be related to licit or illicit use of
3 opioid drugs;
- 4 3. Establish and maintain statistical information related to
5 opioid overdose deaths including, but not limited to, demographic
6 and medical diagnostic information;
- 7 4. Establish procedures for obtaining initial information
8 regarding opioid overdose deaths from law enforcement agencies;
- 9 5. Review the policies, practices and procedures of the medical
10 system and law enforcement system and make specific recommendations
11 to the entities comprising the medical and law enforcement systems
12 for actions necessary for the improvement of the system;
- 13 6. Review the extent to which medical and law enforcement
14 systems are working together and evaluate whether the state is
15 efficiently discharging its drug overdose prevention
16 responsibilities;
- 17 7. Request and obtain a copy of all records and reports
18 pertaining to an adult whose case is under review including, but not
19 limited to:
 - 20 a. the report of the medical examiner,
 - 21 b. hospital records,
 - 22 c. school records,
 - 23 d. court records,
 - 24 e. prosecutorial records,

- f. local, state and federal law enforcement records including, but not limited to, the Oklahoma State Bureau of Investigation (OSBI) and Oklahoma State Bureau of Narcotics and Dangerous Drugs Control (OBN),
- g. fire department records,
- h. State Department of Health records, including birth certificate records,
- i. medical and dental records,
- j. Department of Mental Health and Substance Abuse Services and other mental health records,
- k. emergency medical service records, and
- l. files of the Department of Human Services.

Confidential information provided to the Board shall be maintained by the Board in a confidential manner as otherwise required by state and federal law. Any person damaged by disclosure of such confidential information by the Board or its members which is not authorized by law may maintain an action for damages, costs and attorney fees pursuant to The Governmental Tort Claims Act;

8. Maintain all confidential information, documents and records in possession of the Board as confidential and not subject to subpoena or discovery in any civil or criminal proceedings; provided however, information, documents and records otherwise available from other sources shall not be exempt from subpoena or discovery through

1 those sources solely because such information, documents and records
2 were presented to or reviewed by the Board;

3 9. Conduct reviews of specific cases of opioid overdose deaths
4 and request the preparation of additional information and reports as
5 determined to be necessary by the Board including, but not limited
6 to, clinical summaries from treating physicians, chronologies of
7 contact and second-opinion autopsies;

8 10. Report, if recommended by a majority vote of the Board, to
9 the Governor, the President Pro Tempore of the Senate and the
10 Speaker of the House of Representatives any gross neglect of duty by
11 any state officer or state employee or any problem within the
12 medical and law enforcement system discovered by the Board while
13 performing its duties; and

14 11. Exercise all incidental powers necessary and proper for the
15 implementation and administration of the Opioid Overdose Fatality
16 Review Board.

17 C. The review and discussion of individual cases of an opioid
18 overdose death shall be conducted in executive session. All other
19 business shall be conducted in accordance with the provisions of the
20 Oklahoma Open Meeting Act. All discussions of individual cases and
21 any writings produced by or created for the Board in the course of
22 determining a remedial measure to be recommended by the Board, as
23 the result of a review of an individual case of an opioid overdose
24 death, shall be privileged and shall not be admissible in evidence

1 in any proceeding. The Board shall periodically conduct meetings to
2 discuss organization and business matters and any actions or
3 recommendations aimed at improvement of the medical system or law
4 enforcement system which shall be subject to the Oklahoma Open
5 Meeting Act. Part of any meeting of the Board may be specifically
6 designated as a business meeting of the Board subject to the
7 Oklahoma Open Meeting Act.

8 D. The Board shall submit an annual statistical report on the
9 incidence and causes of opioid overdose deaths in this state for
10 which the Board has completed its review during the past calendar
11 year including its recommendations, if any, to the medical and law
12 enforcement system. The Board shall also prepare and make available
13 to the public, on an annual basis, a report containing a summary of
14 the activities of the Board relating to the review of opioid
15 overdose deaths, the extent to which the state medical and law
16 enforcement system is coordinated and an evaluation of whether the
17 state is efficiently discharging its responsibilities to prevent
18 opioid overdose deaths. The report shall be completed no later than
19 February 1 of the subsequent year.

20 SECTION 7. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 2-1002 of Title 63, unless there
22 is created a duplication in numbering, reads as follows:

23 A. The Opioid Overdose Fatality Review Board shall be composed
24 of eighteen (18) members, or their designees, as follows:

1 1. Eight of the members shall be:

2 a. the Attorney General,

3 b. the Chief Medical Examiner,

4 c. the State Commissioner of Health,

5 d. the Chief of Injury Prevention Services of the State
6 Department of Health,

7 e. the President of the Oklahoma State Medical
8 Association,

9 f. the Director of the Oklahoma State Bureau of Narcotics
10 and Dangerous Drugs Control,

11 g. the Commissioner of the Department of Mental Health
12 and Substance Abuse Services, and

13 h. the President of the Oklahoma Osteopathic Association;
14 and

15 2. Ten of the members shall be appointed by the Attorney
16 General, shall serve for terms of two (2) years and shall be
17 eligible for reappointment. The members shall be persons having
18 training and experience in matters related to opioid abuse and
19 prevention. The appointed members shall include:

20 a. a county sheriff selected from a list of three names
21 submitted by the executive board of the Oklahoma
22 Sheriffs' Association,

- 1 b. a chief of a municipal police department selected from
2 a list of three names submitted by the Oklahoma
3 Association of Chiefs of Police,
- 4 c. an attorney licensed in this state who is in private
5 practice selected from a list of three names submitted
6 by the Board of Governors of the Oklahoma Bar
7 Association,
- 8 d. a district attorney selected from a list of three
9 names submitted by the District Attorneys Council,
- 10 e. a physician with emergency medical training selected
11 from a list of three names submitted by the Oklahoma
12 State Medical Association,
- 13 f. a physician with experience in drug addiction
14 treatment and recovery selected from a list of three
15 names submitted by the Oklahoma Osteopathic
16 Association,
- 17 g. a nurse selected from a list of three names submitted
18 by the Oklahoma Nurses Association,
- 19 h. two individuals, at least one of whom shall be a
20 person in recovery from an addiction to licit or
21 illicit opioids, selected from a list of three names
22 submitted by the Oklahoma Department of Mental Health
23 and Substance Abuse Services, and
24

1 i. a member of the Judiciary selected from a list of
2 three names submitted by the Oklahoma Supreme Court.

3 B. Every two (2) years the Board shall elect from among its
4 membership a chair and a vice-chair. The Board shall meet at least
5 quarterly and may meet more frequently as necessary as determined by
6 the chair. Members shall serve without compensation but may be
7 reimbursed for necessary travel out of funds available to the Office
8 of the Attorney General pursuant to the State Travel Reimbursement
9 Act; provided, that the reimbursement shall be paid in the case of
10 state employee members by the agency employing the member.

11 C. With funds appropriated or otherwise available for that
12 purpose, the Office of the Attorney General shall provide
13 administrative assistance and services to the Opioid Overdose
14 Fatality Review Board.

15 SECTION 8. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 2-1003 of Title 63, unless there
17 is created a duplication in numbering, reads as follows:

18 A. Beginning November 1, 2018, the Center for Health Statistics
19 of the Department of Health shall forward to the Office of the Chief
20 Medical Examiner on a monthly basis copies of all death certificates
21 of persons over eighteen (18) years of age received by the Center
22 for Health Statistics during the preceding month whereby the cause
23 of death was due to an overdose of licit or illicit drugs including
24 opioids.

1 B. The Office of Chief Medical Examiner shall conduct an
2 initial review of overdose death certificates in accordance with the
3 criteria established by the Opioid Overdose Fatality Review Board
4 and refer to the Board those cases that meet the criteria
5 established by the Board for specific case review.

6 C. Upon the request of the Board, every entity within the
7 medical and law enforcement system shall provide to the Board any
8 information requested by the Board.

9 SECTION 9. This act shall become effective November 1, 2018.

10 Passed the House of Representatives the 12th day of March, 2018.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ___ day of _____, 2018.

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Presiding Officer of the Senate

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