

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 291 - HB 566

March 11, 2023

SUMMARY OF BILL: Creates the *Overdose Fatality Review Act*. Authorizes a county to establish a multidisciplinary and multiagency overdose fatality review local team, and two or more counties to jointly establish a single multicounty team. Provides overdose fatality review teams with duties and responsibilities to examine and understand the circumstances leading up to a fatal overdose, so that policy recommendations and resource allocations can prevent future overdoses.

Requires each local team to submit an annual de-identified report including data related to fatal overdoses and recommendations for policy changes to prevent overdoses to the Department of Health (DOH) and the county health department for the local jurisdiction. Requires the DOH to combine all annual reports into a single statewide report to be submitted to the Governor and both health committees of the General Assembly.

Requires information and records kept by certain healthcare providers and government agencies relating to fatal overdoses to be provided to the local team following a records request. Establishes certain confidentiality protocols for local team members, and states that the confidentiality of information provided to the local team must be maintained as required by state and federal law. Creates a Class B misdemeanor offense for a person who violates confidentiality provisions established in the Act.

FISCAL IMPACT:

Increase State Expenditures - \$107,300/FY23-24 and Subsequent Years

Increase Local Expenditures - \$1,457,400/FY23-24 and Subsequent Years
/Permissive

Assumptions:

- According to the proposed legislation, members of a local team must serve without compensation.
- This analysis assumes counties will group into local teams with an average of five counties. This will result in 19 local teams (95 counties / 5).
- Based on information provided by DOH, each local team will require an Administrative Services Assistant 3 to facilitate requirements imposed by the Act. There will be a

permissive recurring increase in local expenditures of \$1,457,414 (\$59,496 salary + \$17,210 benefits x 19 positions) in FY23-24 and subsequent years.

- In order to adequately carry out the proposed legislation, DOH will require one Program Director 2 to manage the coordination of reports. Therefore, a recurring increase in state expenditures of \$107,265 (\$85,704 salary + \$21,561 benefits) in FY23-24 and subsequent years.
- There will not be enough Class B misdemeanor convictions for violating confidentiality provisions to result in a significant increase in revenue or expenditures.
- Any increase in court proceedings as a result of the proposed legislation will be absorbed within existing personnel and resources.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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