

ASSEMBLY BILL NO. 29—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE DEPARTMENT OF HEALTH
AND HUMAN SERVICES, DIRECTOR'S OFFICE)

PREFILED DECEMBER 20, 2012

Referred to Committee on Health and Human Services

SUMMARY—Creates the Committee to Review Suicide Fatalities.
(BDR 40-307)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public health; creating the Committee to Review Suicide Fatalities; providing for the membership of the Committee; setting forth the powers and duties of the Committee; requiring certain data or information to be made available to the Committee; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Statewide Program for Suicide Prevention within the office of the Director of the Department of Health and Human Services. The purpose of the Statewide Program is to: (1) create public awareness for issues relating to suicide prevention; (2) build community networks; and (3) carry out training programs for suicide prevention for law enforcement personnel, providers of health care, school employees and other persons who have contact with persons at risk of suicide. Existing law also requires the employment of a Coordinator of the Statewide Program and a person to serve as a trainer for suicide prevention to provide educational activities to the general public relating to suicide prevention and to provide other assistance in carrying out the Statewide Program. (NRS 439.511, 439.513)

Sections 2-5 of this bill create the Committee to Review Suicide Fatalities within the Department. **Section 7** of this bill similarly moves the Statewide Program from the office of the Director to the Department. **Section 3** requires the Director to appoint the members of the Committee from among certain persons and groups of persons and provides that each member serves at the pleasure of the Director. **Section 4** requires the Committee to adopt a written protocol setting forth the suicide fatalities which must be reported to the Committee and screened for



review by the Committee. **Section 4** also requires the Committee to obtain and use any data or other information to review suicide fatalities in this State to determine trends, risk factors and strategies for the prevention of suicide fatalities and to take certain other actions concerning those fatalities. **Section 5** authorizes the Committee to: (1) conduct investigations and hold hearings; (2) share information with certain persons or teams; (3) petition a district court for the issuance of a subpoena; (4) propose recommended legislation; (5) issue special reports; and (6) engage in any other activity required by the Director concerning suicide fatalities in this State. **Section 5** also requires the Committee to submit an annual report to the Director concerning the activities of the Committee. **Section 8** of this bill requires the Coordinator to employ at least one person to act as a trainer for suicide prevention and requires at least one trainer for suicide prevention to be based in a county whose population is 700,000 or more (currently Clark County). **Sections 9 and 10** of this bill make several changes concerning the requirement to allow the Committee to review a certificate of death and to provide other information to the Committee.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 439 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. *As used in sections 2 to 5, inclusive, of this act, unless the context otherwise requires, "Committee" means the Committee to Review Suicide Fatalities created by section 3 of this act.*

Sec. 3. 1. *The Committee to Review Suicide Fatalities is hereby created within the Department. The Committee must consist of the following 10 members appointed by the Director:*

(a) A county coroner or medical examiner or his or her designee;

(b) One person who represents providers of health care;

(c) One person who represents organizations having expertise in suicide prevention;

(d) One person who represents organizations having expertise in the treatment of substance abuse and prevention;

(e) One person who represents mental health agencies;

(f) One person who represents law enforcement;

(g) One person who represents injury prevention;

(h) One person who represents Native American tribes;

(i) One person who represents advocates for individuals and families with mental illness; and

(j) One person who represents veterans.

2. *After the initial term, each member of the Committee shall serve for a term of 3 years and may be reappointed. Each member of the Committee serves at the pleasure of the Director. If a vacancy occurs, the Director shall appoint a new member to fill*



1 *the vacancy for the remainder of the unexpired term in the same*
2 *manner as the initial appointment.*

3 **Sec. 4. 1. The Committee:**

4 *(a) Except as otherwise provided in this paragraph, shall adopt*
5 *a written protocol setting forth the suicide fatalities in this State*
6 *which must be reported to the Committee and screened for review*
7 *by the Committee and the suicide fatalities in this State which the*
8 *Committee may reject for review. The Committee shall not review*
9 *any case in which litigation is pending.*

10 *(b) May review any accidental death which the Committee*
11 *determines may assist in suicide prevention efforts in this State.*

12 *(c) May establish differing levels of review, including, without*
13 *limitation, a comprehensive or limited review depending upon the*
14 *nature of the incident or the purpose of the review.*

15 **2. The Committee shall obtain and use any data or other**
16 **information to:**

17 *(a) Review suicide fatalities in this State to determine trends,*
18 *risk factors and strategies for prevention;*

19 *(b) Determine and prepare reports concerning trends and*
20 *patterns of suicide fatalities in this State;*

21 *(c) Identify and evaluate the prevalence of risk factors for*
22 *preventable suicide fatalities in this State;*

23 *(d) Evaluate and prepare reports concerning high-risk factors,*
24 *current practices, lapses in systematic responses and barriers to*
25 *the safety and well-being of persons who are at risk of suicide in*
26 *this State; and*

27 *(e) Recommend any improvement in sources of information*
28 *relating to investigating reported suicide fatalities and preventing*
29 *suicide in this State.*

30 **3. In conducting a review of a suicide fatality in this State,**
31 **the Committee shall, to the greatest extent practicable, consult and**
32 **cooperate with:**

33 *(a) The Coordinator of the Statewide Program for Suicide*
34 *Prevention employed pursuant to NRS 439.511;*

35 *(b) Each trainer for suicide prevention employed pursuant to*
36 *NRS 439.513; and*

37 *(c) A multidisciplinary team:*

38 *(1) To review the death of the victim of a crime that*
39 *constitutes domestic violence organized or sponsored pursuant to*
40 *NRS 217.475 or 228.495;*

41 *(2) To review the death of a child organized pursuant to*
42 *NRS 432B.405; and*

43 *(3) To oversee the review of the death of a child organized*
44 *pursuant to NRS 432B.4075.*



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1 4. Any review conducted by the Committee pursuant to
2 sections 2 to 5, inclusive, of this act is separate from, independent
3 of and in addition to any investigation or review which is required
4 or authorized by law to be conducted, including, without
5 limitation, any investigation conducted by a coroner or coroner's
6 deputy pursuant to NRS 259.050.

7 5. To conduct a review pursuant to sections 2 to 5, inclusive,
8 of this act, the Committee may access information, including,
9 without limitation:

10 (a) Any investigative information obtained by a law
11 enforcement agency relating to a death;

12 (b) Any records from an autopsy or an investigation conducted
13 by a coroner or coroner's deputy relating to a death;

14 (c) Any medical or mental health records of a decedent; and

15 (d) Any records relating to social or rehabilitative services
16 provided to a decedent; and

17 (e) Any records of a social services agency which has provided
18 services to a decedent.

19 Sec. 5. 1. The Committee may:

20 (a) Conduct investigations and hold hearings in connection
21 with carrying out the provisions of sections 2 to 5, inclusive, of this
22 act.

23 (b) If appropriate, meet and share information with any person
24 or team specified in subsection 3 of section 4 of this act.

25 (c) Petition a district court for the issuance of, and the district
26 court may issue, a subpoena to compel the production of any
27 books, records or papers relevant to any suicide fatality in this
28 State that is the subject of a review conducted by the Committee.
29 Except as otherwise provided in NRS 239.0115, any books, records
30 or papers received by the Committee pursuant to the subpoena
31 shall be deemed confidential and privileged and not subject to
32 disclosure.

33 (d) Propose recommended legislation concerning suicide
34 fatalities in this State.

35 (e) Issue a special report to notify the appropriate authorities
36 or members of the public concerning the need to take any prompt
37 corrective action concerning suicide fatalities in this State.

38 (f) Engage in any other activity required by the Director
39 concerning suicide fatalities in this State.

40 2. The Committee shall annually submit to the Director a
41 report concerning the activities of the Committee. The report must
42 include, without limitation, a statement setting forth:

43 (a) Any trends or patterns in suicide fatalities in this State or
44 serious injuries or risk factors concerning those fatalities; and



(b) In addition to any recommendation made pursuant to section 4 of this act, any recommendations for changes in any law, policy or practice that may assist the Committee in preventing suicide fatalities in this State or related serious occurrences.

3. A report submitted pursuant to subsection 2 must not include any confidential or privileged information.

4. Except as otherwise provided in this section and NRS 239.0115, any information acquired by or any records of the Committee are confidential, must not be disclosed and are not subject to subpoena, discovery or introduction into evidence in any civil or criminal proceeding.

Sec. 6. NRS 439.010 is hereby amended to read as follows:

439.010 Except as otherwise provided in NRS 439.581 to 439.595, inclusive, *and sections 2 to 5, inclusive, of this act*, the provisions of this chapter must be administered by the Administrator and the Health Division, subject to administrative supervision by the Director.

Sec. 7. NRS 439.511 is hereby amended to read as follows:

439.511 1. There is hereby created within the ~~office of the Director~~ *Department* a Statewide Program for Suicide Prevention. The Department shall implement the Statewide Program for Suicide Prevention, which must, without limitation:

(a) Create public awareness for issues relating to suicide prevention;

(b) Build community networks; and

(c) Carry out training programs for suicide prevention for law enforcement personnel, providers of health care, school employees and other persons who have contact with persons at risk of suicide.

2. The Director shall employ a Coordinator of the Statewide Program for Suicide Prevention. The Coordinator:

(a) Must have at least the following education and experience:

(1) A bachelor's degree in social work, psychology, sociology, counseling or a closely related field and 5 years or more of work experience in behavioral health or a closely related field; or

(2) A master's degree or a doctoral degree in social work, psychology, sociology, counseling, public health or a closely related field and 2 years or more of work experience in behavioral health or a closely related field.

(b) Should have as many of the following characteristics as possible:

(1) Significant professional experience in social services, mental health or a closely related field;

(2) Knowledge of group behavior and dynamics, methods of facilitation, community development, behavioral health treatment



1 and prevention programs, and community-based behavioral health
2 problems;

3 (3) Experience in working with diverse community groups
4 and constituents; and

5 (4) Experience in writing grants and technical reports.

6 3. The Coordinator shall:

7 (a) Provide educational activities to the general public relating to
8 suicide prevention;

9 (b) Provide training to persons who, as part of their usual
10 routine, have face-to-face contact with persons who may be at risk
11 of suicide, including, without limitation, training to recognize
12 persons at risk of suicide and providing information on how to refer
13 those persons for treatment or supporting services, as appropriate;

14 (c) Develop and carry out public awareness and media
15 campaigns in each county targeting groups of persons who are at
16 risk of suicide;

17 (d) Enhance crisis services relating to suicide prevention;

18 (e) Link persons trained in the assessment of and intervention in
19 suicide with schools, public community centers, nursing homes and
20 other facilities serving persons most at risk of suicide;

21 (f) Coordinate the establishment of local advisory groups in
22 each county to support the efforts of the Statewide Program;

23 (g) Work with groups advocating suicide prevention,
24 community coalitions, managers of existing crisis hotlines that are
25 nationally accredited or certified, and staff members of mental
26 health agencies in this State to identify and address the barriers that
27 interfere with providing services to groups of persons who are at
28 risk of suicide, including, without limitation, elderly persons, Native
29 Americans, youths and residents of rural communities;

30 (h) Develop and maintain an Internet or network site with links
31 to appropriate resource documents, suicide hotlines that are
32 nationally accredited or certified, licensed professional personnel,
33 state and local mental health agencies and appropriate national
34 organizations;

35 (i) Review current research on data collection for factors related
36 to suicide and develop recommendations for improved systems of
37 surveillance and uniform collection of data;

38 (j) Develop and submit proposals for funding from agencies of
39 the Federal Government and nongovernmental organizations; and

40 (k) Oversee and provide technical assistance to ~~the~~ *each*
41 person employed to act as a trainer for suicide prevention pursuant
42 to NRS 439.513.

43 4. As used in this section:

44 (a) "Internet or network site" means any identifiable site on the
45 Internet or on a network and includes, without limitation:



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- (1) A website or other similar site on the World Wide Web;
- (2) A site that is identifiable through a Uniform Resource Locator; and
- (3) A site on a network that is owned, operated, administered or controlled by a provider of Internet service.

(b) "Systems of surveillance" means systems pursuant to which the health conditions of the general public are regularly monitored through systematic collection, evaluation and reporting of measurable information to identify and understand trends relating to suicide.

Sec. 8. NRS 439.513 is hereby amended to read as follows:

439.513 1. The Coordinator of the Statewide Program for Suicide Prevention shall employ ~~at least one~~ *at least one* person to act as a trainer for suicide prevention and facilitator for networking for Southern Nevada.

2. ~~The~~ *Each* trainer for suicide prevention:

(a) Must have at least the following education and experience:

(1) Three years or more of experience in providing education and training relating to suicide prevention to diverse community groups; or

(2) A bachelor's degree, master's degree or doctoral degree in social work, public health, psychology, sociology, counseling or a closely related field and 2 years or more of experience in providing education and training relating to suicide prevention.

(b) Should have as many of the following characteristics as possible:

(1) Significant knowledge and experience relating to suicide and suicide prevention;

(2) Knowledge of methods of facilitation, networking and community-based suicide prevention programs;

(3) Experience in working with diverse community groups and constituents; and

(4) Experience in providing suicide awareness information and suicide prevention training.

3. ~~The~~ *At least one* trainer for suicide prevention must be based in a county whose population is 700,000 or more.

4. ~~The~~ *Each* trainer for suicide prevention shall:

(a) Assist the Coordinator of the Statewide Program for Suicide Prevention in disseminating and carrying out the Statewide Program in the county in which the trainer for suicide prevention is based;

(b) Provide information and training relating to suicide prevention to emergency medical personnel, providers of health care, mental health agencies, social service agencies, churches, public health clinics, school districts, law enforcement agencies and



1 other similar community organizations in the county in which the
2 trainer for suicide prevention is based;

3 (c) Assist the Coordinator of the Statewide Program for Suicide
4 Prevention in developing and carrying out public awareness and
5 media campaigns targeting groups of persons who are at risk of
6 suicide in the county in which the trainer for suicide prevention is
7 based;

8 (d) Assist in developing a network of community-based
9 programs for suicide prevention in the county in which the trainer
10 for suicide prevention is based, including, without limitation,
11 establishing one or more local advisory groups for suicide
12 prevention; and

13 (e) Facilitate the sharing of information and the building of
14 consensuses among multiple constituent groups in the county in
15 which the trainer for suicide prevention is based, including, without
16 limitation, public agencies, community organizations, advocacy
17 groups for suicide prevention, mental health providers and
18 representatives of the various groups that are at risk for suicide.

19 **Sec. 9.** NRS 440.170 is hereby amended to read as follows:

20 440.170 1. All certificates in the custody of the State
21 Registrar are open to inspection subject to the provisions of this
22 chapter. It is unlawful for any employee of the State to disclose data
23 contained in vital statistics, except as authorized by this chapter or
24 by the Board.

25 2. Information in vital statistics indicating that a birth occurred
26 out of wedlock must not be disclosed except upon order of a court of
27 competent jurisdiction.

28 3. The Board:

29 (a) Shall allow the use of data contained in vital statistics to
30 carry out the provisions of NRS 442.300 to 442.330, inclusive;

31 (b) Shall allow the use of certificates of death by a
32 multidisciplinary team:

33 (1) To review the death of the victim of a crime that
34 constitutes domestic violence organized or sponsored pursuant to
35 NRS 217.475 or 228.495; and

36 (2) To review the death of a child established pursuant to
37 NRS 432B.405 and 432B.406; ~~and~~

38 (c) *Shall allow the use of certificates of death by the*
39 *Committee to Review Suicide Fatalities created by section 3 of this*
40 *act; and*

41 (d) May allow the use of data contained in vital statistics for
42 other research purposes, but without identifying the persons to
43 whom the records relate.



Sec. 10. NRS 432B.290 is hereby amended to read as follows:

432B.290 1. Except as otherwise provided in subsections 2 and 3 and NRS 432B.165, 432B.175 and 432B.513, data or information concerning reports and investigations thereof made pursuant to this chapter may be made available only to:

(a) A physician, if the physician has before him or her a child who the physician has reasonable cause to believe has been abused or neglected;

(b) A person authorized to place a child in protective custody, if the person has before him or her a child who the person has reasonable cause to believe has been abused or neglected and the person requires the information to determine whether to place the child in protective custody;

(c) An agency, including, without limitation, an agency in another jurisdiction, responsible for or authorized to undertake the care, treatment or supervision of:

(1) The child; or

(2) The person responsible for the welfare of the child;

(d) A district attorney or other law enforcement officer who requires the information in connection with an investigation or prosecution of the abuse or neglect of a child;

(e) Except as otherwise provided in paragraph (f), a court, for in camera inspection only, unless the court determines that public disclosure of the information is necessary for the determination of an issue before it;

(f) A court as defined in NRS 159.015 to determine whether a guardian or successor guardian of a child should be appointed pursuant to chapter 159 of NRS or NRS 432B.466 to 432B.468, inclusive;

(g) A person engaged in bona fide research or an audit, but information identifying the subjects of a report must not be made available to the person;

(h) The attorney and the guardian ad litem of the child;

(i) A person who files or intends to file a petition for the appointment of a guardian or successor guardian of a child pursuant to chapter 159 of NRS or NRS 432B.466 to 432B.468, inclusive, if the identity of the person responsible for reporting the abuse or neglect of the child to a public agency is kept confidential;

(j) The proposed guardian or proposed successor guardian of a child over whom a guardianship is sought pursuant to chapter 159 of NRS or NRS 432B.466 to 432B.468, inclusive, if the identity of the person responsible for reporting the abuse or neglect of the child to a public agency is kept confidential;

(k) A grand jury upon its determination that access to these records is necessary in the conduct of its official business;



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(l) A federal, state or local governmental entity, or an agency of such an entity, that needs access to the information to carry out its legal responsibilities to protect children from abuse and neglect;

(m) A person or an organization that has entered into a written agreement with an agency which provides child welfare services to provide assessments or services and that has been trained to make such assessments or provide such services;

(n) A team organized pursuant to NRS 432B.350 for the protection of a child;

(o) A team organized pursuant to NRS 432B.405 to review the death of a child;

(p) A parent or legal guardian of the child and an attorney of a parent or guardian of the child, including, without limitation, the parent or guardian of a child over whom a guardianship is sought pursuant to chapter 159 of NRS or NRS 432B.466 to 432B.468, inclusive, if the identity of the person responsible for reporting the abuse or neglect of the child to a public agency is kept confidential;

(q) The child over whom a guardianship is sought pursuant to chapter 159 of NRS or NRS 432B.466 to 432B.468, inclusive, if:

(1) The child is 14 years of age or older; and

(2) The identity of the person responsible for reporting the abuse or neglect of the child to a public agency is kept confidential;

(r) The persons who are the subject of a report;

(s) An agency that is authorized by law to license foster homes or facilities for children or to investigate persons applying for approval to adopt a child, if the agency has before it an application for that license or is investigating an applicant to adopt a child;

(t) Upon written consent of the parent, any officer of this State or a city or county thereof or Legislator authorized, by the agency or department having jurisdiction or by the Legislature, acting within its jurisdiction, to investigate the activities or programs of an agency which provides child welfare services if:

(1) The identity of the person making the report is kept confidential; and

(2) The officer, Legislator or a member of the family of the officer or Legislator is not the person alleged to have committed the abuse or neglect;

(u) The Division of Parole and Probation of the Department of Public Safety for use pursuant to NRS 176.135 in making a presentence investigation and report to the district court or pursuant to NRS 176.151 in making a general investigation and report;

(v) Any person who is required pursuant to NRS 432B.220 to make a report to an agency which provides child welfare services or to a law enforcement agency;



(w) The Rural Advisory Board to Expedite Proceedings for the Placement of Children created pursuant to NRS 432B.602 or a local advisory board to expedite proceedings for the placement of children created pursuant to NRS 432B.604;

(x) The panel established pursuant to NRS 432B.396 to evaluate agencies which provide child welfare services;

(y) An employer in accordance with subsection 3 of NRS 432.100; ~~for~~

(z) A team organized or sponsored pursuant to NRS 217.475 or 228.495 to review the death of the victim of a crime that constitutes domestic violence ~~for~~; or

(aa) The Committee to Review Suicide Fatalities created by section 3 of this act.

2. An agency investigating a report of the abuse or neglect of a child shall, upon request, provide to a person named in the report as allegedly causing the abuse or neglect of the child:

(a) A copy of:

(1) Any statement made in writing to an investigator for the agency by the person named in the report as allegedly causing the abuse or neglect of the child; or

(2) Any recording made by the agency of any statement made orally to an investigator for the agency by the person named in the report as allegedly causing the abuse or neglect of the child; or

(b) A written summary of the allegations made against the person who is named in the report as allegedly causing the abuse or neglect of the child. The summary must not identify the person responsible for reporting the alleged abuse or neglect.

3. An agency which provides child welfare services shall disclose the identity of a person who makes a report or otherwise initiates an investigation pursuant to this chapter if a court, after reviewing the record in camera and determining that there is reason to believe that the person knowingly made a false report, orders the disclosure.

4. Any person, except for:

(a) The subject of a report;

(b) A district attorney or other law enforcement officer initiating legal proceedings; or

(c) An employee of the Division of Parole and Probation of the Department of Public Safety making a presentence investigation and report to the district court pursuant to NRS 176.135 or making a general investigation and report pursuant to NRS 176.151,

who is given access, pursuant to subsection 1, to information identifying the subjects of a report and who makes this information public is guilty of a misdemeanor.



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1 5. The Division of Child and Family Services shall adopt
2 regulations to carry out the provisions of this section.

3 **Sec. 11.** As soon as practicable after October 1, 2013, the
4 Director of the Department of Health and Human Services shall
5 appoint the members of the Committee to Review Suicide Fatalities
6 required by section 3 of this act to initial terms as follows:

- 7 1. Four members to serve for a term of 3 years;
- 8 2. Three members to serve for a term of 2 years; and
- 9 3. Three members to serve for a term of 1 year.

