

OVERDOSE FATALITY REVIEW ACT (EXCERPT)
Act 313 of 2023

330.3025 Overdose fatality review team; membership; powers and duties; annual report.

Sec. 5. (1) A county may establish an overdose fatality review team. Two or more counties may establish a single overdose fatality review team for those counties.

(2) Any of the following individuals may be a member of an overdose fatality review team:

(a) The following officials of the participating county:

(i) The county health officer.

(ii) The prosecuting attorney, or the attorney's designee.

(iii) The director of the community mental health agency, or the director's designee.

(iv) The county medical examiner, or the medical examiner's designee.

(b) A law enforcement officer of the department of state police, the participating county, or a municipality within the participating county.

(c) A representative of a jail or detention center in the participating county.

(d) A health care provider who specializes in the prevention, diagnosis, and treatment of substance use disorders.

(e) A mental health provider who specializes in the treatment of substance use disorders.

(f) A substance use disorder treatment provider.

(g) A representative of an emergency medical services provider in the participating county.

(h) A representative from the department of corrections who has experience with parole, probation, or community corrections.

(i) An epidemiologist from a local health department or an organization in the participating county.

(j) A child protective services caseworker.

(k) A representative from the department of health and human services who is involved with issues regarding adult protective services.

(l) A representative of a hospital with a service area within the participating county.

(m) Any other individual whose membership is necessary for the overdose fatality review team to complete duties required under this act.

(3) At the first meeting of the overdose fatality review team, the overdose fatality review team shall elect a member as a chairperson and may elect other officers that it considers necessary or appropriate.

(4) The chairperson shall do all of the following for the overdose fatality review team:

(a) Solicit and recruit additional individuals listed under subsection (5) as provided under subsection (6)(e) to participate in individual overdose reviews and community overdose reviews.

(b) Call the meetings and implement the protocols and procedures.

(c) Oversee that confidentiality forms as described under section 7 are signed as needed.

(d) Request and collect the information needed to conduct individual overdose reviews and community overdose reviews.

(e) If a vacancy occurs, appoint an individual from the same or equivalent position or discipline under subsection (2).

(f) Make written requests for information under section 7 that are necessary to carry out the duties of the overdose fatality review team under this act.

(5) Any of the following individuals may be invited to participate in an individual overdose review or community overdose review:

(a) A prepaid inpatient health plan chief executive officer or that officer's designee, or the prepaid inpatient health plan substance use disorder director.

(b) A superintendent of a school in the participating county, or the superintendent's designee.

(c) A representative of a hospital in the participating county.

(d) A health care provider who specializes in emergency medicine.

(e) A health care provider who specializes in pain management.

(f) A pharmacist who has expertise in addressing prescription drug misuse and diversion.

(g) A representative from a poison control center.

(h) A mental health provider.

(i) A prescription drug monitoring program administrator.

(j) A representative from a harm reduction provider.

(k) A recovery coach, peer support worker, or other representative of the recovery community.

(l) A representative from a drug court in the participating county.

(m) A substance use disorder prevention specialist or representative.

(n) The director of the department of health and human services office in the participating county, or the director's designee.

(o) Any other individual necessary to complete the duties of the overdose fatality review team under this act.

(6) An overdose fatality review team shall do all of the following:

(a) Promote cooperation and coordination among agencies involved in the investigation of drug overdose fatalities.

(b) Identify potential causes and incidence of drug overdose fatalities in the participating county.

(c) Recommend and plan for changes within the agencies represented on the overdose fatality review team to prevent drug overdose fatalities.

(d) Propose potential changes to law, policy, funding, or practices to prevent drug overdoses.

(e) In consultation with the department of health and human services, establish and implement protocols and procedures to do all of the following:

(i) Recruit individuals listed under subsection (5) to participate in individual overdose reviews and community overdose reviews.

(ii) Plan and facilitate meetings.

(iii) Collect, analyze, interpret, and maintain data on drug overdose fatalities in the participating county.

(iv) Build a recommendation plan.

(f) Recommend prevention and intervention strategies, focusing on evidence-based strategies and promising practices, to improve the coordination of services and investigations among agencies represented by members of the overdose fatality review team to reduce drug overdose fatalities.

(7) Meetings of an overdose fatality review team may be conducted remotely through a secure platform.

(8) Subject to subsection (9), the overdose fatality review team shall submit an annual report to the public, the local health department of the participating county, and the department of health and human services that contains all of the following information:

(a) The total number of drug overdose fatalities that occurred within the participating county.

(b) The number of individual overdose reviews conducted by the overdose fatality review team.

(c) Any recommendations.

(9) The report under subsection (8) must not contain identifying information.

History: 2023, Act 313, Eff. Feb. 13, 2024.