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**SUBSTITUTE HOUSE BILL 1240**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** House Health Care & Wellness (originally sponsored by Representatives Mosbrucker, Orwall, Dent, Smith, Bergquist, Dye, Corry, Wylie, Callan, Macri, and Irwin)

1 AN ACT Relating to suicide review teams; amending RCW 70.02.050;  
2 adding a new section to chapter 43.70 RCW; creating a new section;  
3 and providing an expiration date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that the work of  
6 the state suicide prevention plan steering committee has produced a  
7 valuable, comprehensive suicide prevention plan. This plan finds that  
8 about one-half of mental health conditions appear by age fourteen and  
9 identifies a need for preventing youth suicide risk farther upstream  
10 in a child's life.

11 (2) The legislature intends to establish a youth suicide review  
12 team to complement the work of the state suicide prevention plan  
13 steering committee by providing a focused investigation of the lives  
14 of youth who have died by suicide. The work of the review team shall  
15 provide a more detailed picture of the lives of youth who have died  
16 by suicide in Washington to allow for more targeted intervention  
17 programs to reach youth earlier in their lives.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.70  
19 RCW to read as follows:

1 (1) The department shall establish the Washington youth suicide  
2 review team to review the circumstances related to suicides occurring  
3 among youth up to age twenty-four. The Washington youth suicide  
4 review shall:

5 (a) Perform an in-depth review of each instance of persons under  
6 twenty-four years old who have died by suicide in Washington during  
7 the 2018 calendar year. The review may not include suicides that  
8 occur within the boundaries of an Indian reservation if the tribal  
9 government opposes the review;

10 (b) Analyze circumstances affecting the lives of the persons who  
11 have been reviewed to ascertain the existence of any common factors  
12 that may have contributed to the persons' suicide. The analysis may  
13 include a systematic review of medical records, including mental  
14 health information, voluntary home interviews of parents and  
15 caretakers of the person, and analysis of individual case  
16 information; and

17 (c) Compile statistics to establish a description of the lives of  
18 youth in Washington who have died by suicide and recommendations for  
19 targeting intervention programs to reach youth at risk for suicide  
20 earlier in life.

21 (2)(a) The Washington youth suicide review team consists of the  
22 following members appointed by the governor, with the advice of the  
23 secretary of health:

24 (i) One person who is licensed as either a physician under  
25 chapter 18.71 RCW or osteopathic physician under chapter 18.57 RCW  
26 who practices as a psychiatrist and works primarily with youth;

27 (ii) One psychologist licensed under chapter 18.83 RCW who works  
28 primarily with youth;

29 (iii) One person who is licensed as either an advanced clinical  
30 social worker or independent clinical social worker under chapter  
31 18.225 RCW who works primarily with youth;

32 (iv) One person who is a member of the clergy, as defined in RCW  
33 26.44.020;

34 (v) Either an advanced registered nurse practitioner licensed  
35 under chapter 18.79 RCW, a physician assistant licensed under chapter  
36 18.71A RCW, or an osteopathic physician assistant licensed under  
37 chapter 18.57A RCW who works primarily with youth;

38 (vi) One representative of a tribal health department;

39 (vii) One representative of an organization that advocates for  
40 persons with mental illness and their family members;

1 (viii) One county coroner or medical examiner;

2 (ix) One person who is a member of the education community with  
3 experience related to existing and potential suicide prevention  
4 efforts for students in primary and secondary schools;

5 (x) One person who is a member of the law enforcement community  
6 with experience related to existing and potential suicide prevention  
7 efforts for youth who are involved with the law enforcement system;

8 (xi) One person who is a member of the child protection system  
9 with experience related to existing and potential suicide prevention  
10 efforts for youth involved with the child protection system; and

11 (xii) One family member of a youth who died from suicide.

12 (b) In addition to the members identified in (a) of this  
13 subsection, the membership of the review team may vote to add one  
14 additional member with experience and perspectives that the review  
15 team determines may inform the activities of the review team.

16 (3) The department shall convene the meetings of the Washington  
17 youth suicide review team and assist the review team with its  
18 activities, as necessary, including the collection of information  
19 related to the work of the review team.

20 (4)(a) All health care information collected as part of the  
21 Washington youth suicide review team is confidential, subject to the  
22 restrictions on disclosure provided for in chapter 70.02 RCW. When  
23 documents are collected as part of the work of the Washington youth  
24 suicide review team, the records may be used solely by the review  
25 team and the department of health for the purposes of supporting the  
26 activities of the review team.

27 (b) No identifying information related to the deceased person,  
28 the person's guardians, or anyone voluntarily interviewed as part of  
29 the work of the Washington youth suicide review team may be  
30 disclosed. Any such information shall be redacted from any records  
31 produced as part of the review team's activities.

32 (c) Any witness statements or documents collected from witnesses,  
33 or summaries or analyses of those statements or records prepared  
34 exclusively for purposes of the Washington youth suicide review team,  
35 are not subject to public disclosure, discovery, subpoena, or  
36 introduction into evidence in any administrative, civil, or criminal  
37 proceeding related to the death of a person reviewed. This provision  
38 does not restrict or limit the discovery or subpoena from a health  
39 care provider of records or documents maintained by such health care  
40 provider in the ordinary course of business, whether or not such

1 records or documents may have been supplied to a local health  
2 department pursuant to this section. This provision does not restrict  
3 or limit the discovery or subpoena of documents from such witnesses  
4 simply because a copy of a document was collected as part of the  
5 Washington youth suicide review team.

6 (5) The Washington youth suicide review team shall report its  
7 findings and recommendations to the governor and the committees of  
8 the legislature with jurisdiction over issues related to suicide  
9 prevention for youth by June 1, 2021. The report must include  
10 information regarding the feasibility of establishing locally based  
11 youth suicide review teams. Any compilation of data must be  
12 summarized in a manner so as to prevent the identification of any  
13 specific person who was the subject of review.

14 **Sec. 3.** RCW 70.02.050 and 2017 c 298 s 2 are each amended to  
15 read as follows:

16 (1) A health care provider or health care facility may disclose  
17 health care information, except for information and records related  
18 to sexually transmitted diseases which are addressed in RCW  
19 70.02.220, about a patient without the patient's authorization to the  
20 extent a recipient needs to know the information, if the disclosure  
21 is:

22 (a) To a person who the provider or facility reasonably believes  
23 is providing health care to the patient;

24 (b) To any other person who requires health care information for  
25 health care education, or to provide planning, quality assurance,  
26 peer review, or administrative, legal, financial, actuarial services  
27 to, or other health care operations for or on behalf of the health  
28 care provider or health care facility; or for assisting the health  
29 care provider or health care facility in the delivery of health care  
30 and the health care provider or health care facility reasonably  
31 believes that the person:

32 (i) Will not use or disclose the health care information for any  
33 other purpose; and

34 (ii) Will take appropriate steps to protect the health care  
35 information;

36 (c) To any person if the health care provider or health care  
37 facility believes, in good faith, that use or disclosure is necessary  
38 to prevent or lessen a serious and imminent threat to the health or  
39 safety of a person or the public, and the information is disclosed

1 only to a person or persons reasonably able to prevent or lessen the  
2 threat, including the target of the threat. There is no obligation  
3 under this chapter on the part of the provider or facility to so  
4 disclose; or

5 (d) For payment, including information necessary for a recipient  
6 to make a claim, or for a claim to be made on behalf of a recipient  
7 for aid, insurance, or medical assistance to which he or she may be  
8 entitled.

9 (2) A health care provider shall disclose health care  
10 information, except for information and records related to sexually  
11 transmitted diseases, unless otherwise authorized in RCW 70.02.220,  
12 about a patient without the patient's authorization if the disclosure  
13 is:

14 (a) To federal, state, or local public health authorities, to the  
15 extent the health care provider is required by law to report health  
16 care information; when needed to determine compliance with state or  
17 federal licensure, certification or registration rules or laws, or to  
18 investigate unprofessional conduct or ability to practice with  
19 reasonable skill and safety under chapter 18.130 RCW. Any health care  
20 information obtained under this subsection is exempt from public  
21 inspection and copying pursuant to chapter 42.56 RCW; ((~~or~~))

22 (b) When needed to protect the public health; or

23 (c) As requested by the department of health as needed to support  
24 the activities of the Washington youth suicide review team  
25 established in section 2 of this act.

26 NEW SECTION. **Sec. 4.** This act expires July 1, 2021.

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