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**HOUSE BILL 1240**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Representatives Mosbrucker, Orwall, Dent, Smith, Bergquist, Dye, Corry, Wylie, Callan, Macri, and Irwin

Read first time 01/17/19. Referred to Committee on Health Care & Wellness.

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, home interviews of parents and caretakers of the  
15 person, and analysis of individual case information; and

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

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

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

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

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

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

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

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

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

40 (viii) One county coroner or medical examiner;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 threat, including the target of the threat. There is no obligation  
2 under this chapter on the part of the provider or facility to so  
3 disclose; or

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

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

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

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

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

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

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