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HOUSE BILL NO. 513
Offered January 14, 2026
Prefiled January 13, 2026
A BILL to amend and reenact § 32.1-283.7 of the Code of Virginia, relating to overdose fatality review teams; suicide deaths of veterans and military service members.

Patron—Martinez

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-283.7 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-283.7. Local and regional overdose fatality review teams established; membership; authority; confidentiality; immunity.

A. Any county or city, or combination of counties, cities, or counties and cities, may establish a local or regional overdose fatality review team for the purpose of (i) conducting contemporaneous reviews of local overdose deaths, *including suicide deaths by overdose of veterans and military service members*; (ii) promoting cooperation and coordination among agencies involved in investigations of overdose deaths *or deaths by suicide of veterans or military service members*, or in providing services to surviving family members; (iii) developing an understanding of the causes and incidence of overdose deaths in the locality; (iv) developing plans for and recommending changes within the agencies represented on the local team to prevent overdose deaths; and (v) advising the Department and other relevant state agencies on changes to law, policy, or practice to prevent overdose deaths.

B. A local or regional team may review the death of any person, *including that of a veteran or military service member*, who resides in the Commonwealth and whose death was or is suspected to be due to overdose. Each team shall establish rules and procedures to govern the review process. Agencies may share information but shall be bound by confidentiality and execute a sworn statement to honor the confidentiality of the information they share. A violation of this subsection is punishable as a Class 3 misdemeanor. The Office of the Chief Medical Examiner may develop a model protocol for the development and implementation of local or regional overdose fatality review teams, and such model protocol may include relevant procedures for conducting reviews of overdose fatalities.

C. Local and regional teams may be composed of the following persons from the localities represented on a particular board or their designees: a medical examiner appointed pursuant to § 32.1-282, a local social services official, a director of the relevant local or district health department, a chief law-enforcement officer, an attorney for the Commonwealth, an executive director of the local community services board or other local mental health agency, a local judge, the local school division superintendent, a representative of a local jail or detention center, *a local representative of the Virginia Department of Veterans Services*, and such additional persons as may be appointed to serve by the chair of the local or regional team. The chair shall be elected from among the designated membership. The additional members appointed by the chair may include representatives of local human services agencies, local health care professionals who specialize in the prevention and treatment of substance abuse disorders, local emergency medical services personnel, a representative of a hospital, experts in forensic medicine and pathology, local funeral services providers, *a local representative of the U.S. Department of Veterans Affairs*, and representatives of the local bar.

D. Each local or regional team shall establish operating procedures to govern the review process prior to conducting the first overdose fatality review *or the first death by suicide of a veteran or military service member review*. The review of *a such* death shall be delayed until any criminal investigations connected with the death are completed or the Commonwealth consents to the commencement of such review prior to the completion of the criminal investigation.

E. All information and records obtained or created regarding a review of a fatality shall be confidential and shall be excluded from the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) pursuant to subdivision 7 of § 2.2-3705.5. All such information and records shall be used by the team only in the exercise of its proper purpose and function and shall not be disclosed. Such information and records shall not be subject to subpoena, subpoena duces tecum, discovery, or introduction into evidence when obtained through such other sources solely because the information and records were presented to the team during the fatality review. No person who participated in the review and no member of the team shall be required to make any statement as to what transpired during the review or what information was collected during the review. Upon the conclusion of the fatality review, all information and records concerning the victim and family shall be returned to the originating agency or destroyed. However, the findings of the team may be disclosed or published in statistical or other form that does not identify any individuals. The portions of meetings in which

59 individual cases are discussed by the team shall be closed pursuant to subdivision A 21 of § 2.2-3711. All
60 team members, persons attending closed team meetings, and persons presenting information and records on
61 specific fatalities to the team during closed meetings shall execute a sworn statement to honor the
62 confidentiality of the information, records, discussions, and opinions disclosed during any closed meeting to
63 review a specific death. A violation of this subsection is punishable as a Class 3 misdemeanor.

64 F. Members of teams, as well as their agents and employees, shall be immune from civil liability for any
65 act or omission made in connection with participation in an overdose fatality review team review, unless such
66 act or omission was the result of gross negligence or willful misconduct. Any organization, institution, or
67 person furnishing information, data, testimony, reports, or records to overdose fatality review teams as part of
68 such review shall be immune from civil liability for any act or omission in furnishing such information,
69 unless such act or omission was the result of gross negligence or willful misconduct.