

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1241

By: Greenwood

COMMITTEE SUBSTITUTE

An Act relating to mental health; creating the Youth Suicide Prevention Act; stating purpose; providing definitions; creating Youth Suicide Prevention Council; providing for appointments to the Council; establishing responsibilities of the Council; providing for travel reimbursement; requiring annual report; designating lead agency; establishing responsibilities of lead agency; requiring the Board of Health to establish a statewide suicide data collection system if funds are available to track attempted suicides; stating purpose; limiting access to data; requiring maintenance of records; providing for contents; authorizing publication; providing exceptions; requiring confidentiality of information; imposing penalties for violation; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 12-101 of Title 43A, unless there is created a duplication in numbering, reads as follows:

Sections 1 through 5 of this act shall be known and may be cited as the "Youth Suicide Prevention Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 12-102 of Title 43A, unless there is created a duplication in numbering, reads as follows:

The Legislature finds that suicide is the second or third leading cause of all deaths among persons ten (10) to twenty-four (24) years of age, and accounts for approximately eighty-five (85) deaths in that age group each year in Oklahoma. However, suicide is a tragedy that can be prevented. The purpose of the Youth Suicide Prevention Act is to facilitate the translation of youth suicide-

related data into comprehensive public policy that is directed toward reducing the number of attempted and completed suicides in Oklahoma by:

1. Improving methods of identifying children and young people who are at risk of committing suicide;

2. Improving awareness of and access to existing mental health services for individuals identified as needing those services; and

3. Coordinating and developing community resources to prevent attempted and completed suicides among children, youth, and young adults.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 12-103 of Title 43A, unless there is created a duplication in numbering, reads as follows:

As used in the Youth Suicide Prevention Act:

1. "Suicide" means the voluntary and intentional taking of one's own life; and

2. "Attempted suicide" means the voluntary and intentional injury to one's own body with the goal of ending one's own life.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 12-104 of Title 43A, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created until January 1, 2005, a Youth Suicide Prevention Council. The council shall assist with the implementation of the Youth Suicide Prevention Act.

B. The Youth Suicide Prevention Council shall be composed of eighteen (18) members as follows:

1. One member of the Oklahoma House of Representatives appointed by the Speaker of the House of Representatives;

2. One member of the Oklahoma State Senate appointed by the President Pro Tempore of the Senate;

3. Two representatives of the Department of Mental Health and Substance Abuse Services appointed by the Commissioner of the Department of Mental Health and Substance Abuse Services;

4. Two representatives of the State Department of Health appointed by the Commissioner of Health;

5. One representative of the State Department of Education appointed by the State Superintendent of Public Instruction;

6. One representative of the Office of Juvenile Affairs appointed by the Director of the Office of Juvenile Affairs;

7. One representative of the Oklahoma Commission on Children and Youth appointed by the Director of the Oklahoma Commission on Children and Youth;

8. Two survivors of suicide, including, but not limited to, family members of youths who committed suicide, to be appointed by the President Pro Tempore of the Senate;

9. One teacher and one school counselor each to be appointed by the Speaker of the House of Representatives;

10. Two licensed mental health professionals who work in the area of suicide prevention appointed by the Governor;

11. One child psychiatrist who is licensed pursuant to the laws of this state appointed by the President Pro Tempore of the Senate; and

12. Two members of the clergy, one each appointed by the Speaker of the House of Representatives and the Governor.

C. The Commissioner of the Department of Mental Health and Substance Abuse Services, or a designee, shall convene the initial meeting of the Council, at which time the Council shall elect a chair and vice-chair from among its membership. Staff assistance to the Council shall be provided by the Department of Mental Health and Substance Abuse Services and the State Department of Health. Members of the Council shall receive no compensation for their service on the Council but shall be reimbursed by the appointing

authority for travel expenses incurred in the performance of their duties pursuant to the State Travel Reimbursement Act.

D. The responsibilities of the Council shall include, but not be limited to, the following:

1. Collaborate with community partnership boards established pursuant to Section 601.11 of Title 10 of the Oklahoma Statutes and other community-level planning bodies to assist in the development and coordination of local resources and building community capacity to address the issue of youth suicide;

2. Provide technical assistance to schools and communities with respect to the best practices in the identification and treatment of children and youth at risk for committing suicide;

3. Identify and promote strategies to prevent suicide among young people; and

4. Promote public awareness of the problem of youth suicide and the efforts being made in Oklahoma to reduce morbidity and mortality associated with suicide.

E. The Council shall submit a report to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the Commissioner of the Department of Mental Health and Substance Abuse Services and the Commissioner of Health no later than December 1 of each year. The report shall provide an update of activities and progress in implementing the provisions of the Youth Suicide Prevention Act, and offer policy and legislative recommendations.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 12-105 of Title 43A, unless there is created a duplication in numbering, reads as follows:

A. The Department of Mental Health and Substance Abuse Services shall act as the lead agency in implementing the provisions of the Youth Suicide Prevention Act in cooperation with the Youth Suicide Prevention Council.

B. The Department shall have primary responsibility for evaluating the effectiveness of efforts designed to reduce the number of attempted and completed suicides, and shall submit an evaluation report to the Chair of the Youth Suicide Prevention Council, the Speaker of the House of Representatives, the President Pro Tempore of the Senate and the Governor no later than July 1 of each year.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3151 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The Legislature recognizes that the foundation of an effective youth suicide prevention policy is reliable data. A state suicide data collection system would provide descriptive information about attempted suicides which could be used to design and evaluate suicide prevention programs. Therefore, it is the intent of the Oklahoma Legislature, in enacting this section, to:

1. Collect information on the incidence of suicide attempts;
2. Collect demographic information for persons who attempt suicide; and
3. Develop more effective prevention strategies for reducing the number of attempted and completed suicides.

B. As used in this section:

1. "Suicide" means a voluntary and intentional taking of one's own life;
2. "Attempted suicide" means a voluntary and intentional injury to one's own body with the goal of ending one's own life; and
3. "E-codes" are external cause of injury codes contained in the International Classification of Diseases - 9th Revision.

C. The Board of Health shall, if funds are available, establish a system for collecting information concerning attempted suicides among persons who were hospitalized or who were treated and released. In establishing the system, the Board may require

hospitals, and other related institutions, as defined in Section 1-701 of Title 63 of the Oklahoma Statutes, to include E-codes on all patient discharge data or, if necessary, to complete and submit a Report of Suicide Attempt form to be made available by the State Health Department.

D. The system shall be implemented statewide.

E. Individual forms, computer tapes or other forms of data collected pursuant to this section shall be confidential and shall not be public records as defined in the Oklahoma Open Records Act.

F. The confidentiality of identifying information is to be protected and the pertinent statutes, rules and regulations of the State of Oklahoma and of the federal government relative to confidentiality shall apply.

G. Identifying information shall not be disclosed, and shall not be used for any purpose except statistical reporting and data analysis.

H. Nothing in this section shall prohibit the publishing of statistical compilations relating to suicide attempts which do not in any way identify individual cases or individual sources of information.

I. 1. A violation of the provisions of this section by an employee of the Department shall be grounds for termination of employment.

2. Any person who violates the provisions of this section shall also be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of One Thousand Dollars (\$1,000.00) or imprisonment in the county jail for up to one (1) year, or by both such fine and imprisonment.

J. The Board of Health is authorized to promulgate rules for the purpose of carrying out the provisions of this section.

SECTION 7. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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