

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 3001

By: Kendrix

COMMITTEE SUBSTITUTE

An Act relating to children; amending 10 O.S. 2021, Section 1150.2, as last amended by Section 10, Chapter 347, O.S.L. 2024 (10 O.S. Supp. 2025, Section 1150.2), which relates to the Child Death Review Board; extending sunset date; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 10 O.S. 2021, Section 1150.2, as last amended by Section 10, Chapter 347, O.S.L. 2024 (10 O.S. Supp. 2025, Section 1150.2), is amended to read as follows:

Section 1150.2. A. There is hereby re-created until July 1, ~~2026~~ 2031, in accordance with the Oklahoma Sunset Law, the Child Death Review Board within the Oklahoma Commission on Children and Youth. The Board shall have the power and duty to:

1. Conduct case reviews of deaths and near deaths of children in this state;

1 2. Develop accurate statistical information and identification
2 of deaths of children due to abuse and neglect;

3 3. Improve the ability to provide protective services to the
4 surviving siblings of a child or children who die of abuse or
5 neglect and who may be living in a dangerous environment;

6 4. Improve policies, procedures and practices within the
7 agencies that serve children including the child protection system;

8 5. Enter into agreements with regional teams established by the
9 Board to carry out such duties and responsibilities as the Board
10 shall designate including assigned cases in the geographical area
11 for that regional team. The Commission, with the advice of the
12 Board, shall promulgate rules necessary for the implementation of
13 the provisions of this paragraph; and

14 6. Enter into agreements with other state, local, or private
15 entities as necessary to carry out the duties of the Board
16 including, but not limited to, conducting joint reviews with the
17 Domestic Violence Fatality Review Board on domestic violence cases
18 involving child death or child near-death incidents.

19 B. In carrying out its duties and responsibilities the Board
20 shall:

21 1. Establish criteria for cases involving the death or near
22 death of a child subject to specific, in-depth review by the Board.
23 As used in this section, the term "near death" means a child is in
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1 serious or critical condition, as certified by a physician, as a
2 result of abuse or neglect;

3 2. Conduct a specific case review of those cases where the
4 cause of death or near death is or may be related to abuse or
5 neglect of a child;

6 3. Establish and maintain statistical information related to
7 the deaths and near deaths of children including, but not limited
8 to, demographic and medical diagnostic information;

9 4. Establish procedures for obtaining initial information
10 regarding near deaths of children from the Department of Human
11 Services and law enforcement agencies;

12 5. Review the policies and procedures of the child protection
13 system and make specific recommendations to the entities comprising
14 the system as to actions necessary for improvement;

15 6. Review the extent to which the state child protection system
16 is coordinated with foster care and adoption programs and evaluate
17 whether the state is efficiently discharging its child protection
18 responsibilities under the federal Child Abuse Prevention and
19 Treatment Act State Plan;

20 7. As necessary and appropriate, for the protection of the
21 siblings of a child who dies and whose siblings are deemed to be
22 living in a dangerous environment, refer specific cases to the
23 Department of Human Services or the appropriate district attorney
24 for further investigation;

1 8. Request and obtain a copy of all records and reports
2 pertaining to a child whose case is under review including, but not
3 limited to:

- 4 a. the report of the medical examiner,
- 5 b. hospital records,
- 6 c. school records,
- 7 d. court records,
- 8 e. prosecutorial records,
- 9 f. local, state, and federal law enforcement records
10 including, but not limited to, the Oklahoma State
11 Bureau of Investigation (OSBI),
- 12 g. fire department records,
- 13 h. State Department of Health records including birth
14 certificate records,
- 15 i. medical and dental records,
- 16 j. Department of Mental Health and Substance Abuse
17 Services and other mental health records,
- 18 k. emergency medical service records,
- 19 l. files of the Department of Human Services, and
- 20 m. records in the possession of the Domestic Violence
21 Fatality Review Board when conducting a joint review
22 pursuant to paragraph 6 of subsection A of this
23 section.

1 Confidential information provided to the Board shall be
2 maintained in a confidential manner as required by state and federal
3 law. Any person damaged by disclosure of such information by the
4 Board, its regional teams or their members, not authorized by law,
5 may maintain an action for damages, costs and attorney fees;

6 9. Maintain all confidential information, documents and records
7 in possession of the Board as confidential and not subject to
8 subpoena or discovery in any civil or criminal proceedings;
9 provided, however, information, documents and records otherwise
10 available from other sources shall not be exempt from subpoena or
11 discovery through those sources solely because such information,
12 documents and records were presented to or reviewed by the Board;

13 10. Conduct reviews of specific cases of deaths and near deaths
14 of children and request the preparation of additional information
15 and reports as determined to be necessary by the Board including,
16 but not limited to, clinical summaries from treating physicians,
17 chronologies of contact, and second-opinion autopsies;

18 11. Report, if recommended by a majority vote of the Board, to
19 the President Pro Tempore of the Senate and the Speaker of the House
20 of Representatives any gross neglect of duty by any state officer or
21 state employee, or any problem within the child protective services
22 system discovered by the Board while performing its duties;

23 12. Recommend, when appropriate, amendment of the cause or
24 manner of death listed on the death certificate; and

1 13. Subject to the approval of the Commission, exercise all
2 incidental powers necessary and proper for the implementation and
3 administration of the Child Death Review Board Act.

4 C. The review and discussion of individual cases of death or
5 near death of a child shall be conducted in executive session and in
6 compliance with the confidentiality requirements of Section 1-6-102
7 of Title 10A of the Oklahoma Statutes. All other business shall be
8 conducted in accordance with the provisions of the Oklahoma Open
9 Meeting Act. All discussions of individual cases and any writings
10 produced by or created for the Board and recommended by the Board,
11 as the result of a review of an individual case of the death or near
12 death of a child, shall be privileged and shall not be admissible in
13 evidence in any proceeding. The Board shall periodically conduct
14 meetings to discuss organization and business matters and any
15 actions or recommendations aimed at improvement of the child
16 protection system which shall be subject to the Oklahoma Open
17 Meeting Act. Part of any meeting of the Board may be specifically
18 designated as a business meeting of the Board subject to the
19 Oklahoma Open Meeting Act.

20 D. 1. The Board shall submit an annual statistical report on
21 the incidence and causes of death and near death of children in this
22 state for which the Board has completed its review during the past
23 calendar year, including its recommendations, to the Oklahoma
24 Commission on Children and Youth on or before May 1 of each year.

1 The Board shall also prepare and make available to the public, on an
2 annual basis, a report containing a summary of the activities of the
3 Board relating to the review of deaths and near deaths of children,
4 the extent to which the state child protection system is coordinated
5 with foster care and adoption programs, and an evaluation of whether
6 the state is efficiently discharging its child protection
7 responsibilities. The report shall be completed no later than
8 December 31 of each year.

9 2. The Commission shall review the report of the Board and, as
10 appropriate, incorporate the findings and recommendations into the
11 State Plan for Services to Children and Youth.

12 SECTION 2. This act shall become effective July 1, 2026.

13 SECTION 3. It being immediately necessary for the preservation
14 of the public peace, health or safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

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