
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2023 - 2024 Regular Session

SB 67 (Seyarto) - Controlled substances: overdose reporting

Version: April 24, 2023

Urgency: No

Hearing Date: May 8, 2023

Policy Vote: HEALTH 11 - 0

Mandate: Yes

Consultant: Agnes Lee

Bill Summary: SB 67 would require a coroner or medical examiner who evaluates an individual who died, in the coroner or medical examiner's expert opinion, as the result of an overdose as a contributing factor, to report the incident to the Overdose Detection Mapping Application Program (ODMAP) managed by the Washington/Baltimore High Intensity Drug Trafficking Area program.

Fiscal Impact: Unknown costs to counties to establish and implement the reporting requirements. Cost to counties for administration would be potentially reimbursable by the state, subject to a determination by the Commission on State Mandates.

Background: Current law requires a county coroner to inquire into and determine the circumstances, manner, and cause of certain deaths, including all violent, sudden, or unusual deaths, and deaths due to drug addiction, among other types of deaths. A county Board of Supervisors may abolish the office of coroner and provide instead for the office of medical examiner, as specified, and requires the medical examiner to be a licensed physician and surgeon duly qualified as a specialist in pathology.

In 1988, Congress created the High Intensity Drug Trafficking Areas (HIDTA) program to provide assistance to federal, state, local, and tribal law enforcement agencies operating in areas determined to be critical drug-trafficking regions of the United States. There are currently 33 HIDTAs, including four in California. In January 2017, the Washington/Baltimore HIDTA launched ODMAP as a response to the lack of a consistent methodology to track overdoses, which limited the ability to understand and mobilize against the crisis. According to the Washington/Baltimore HIDTA, ODMAP is an overdose mapping tool that allows first responders to log an overdose in real time into a centralized database in order to support public safety and public health efforts to mobilize an immediate response to a sudden increase, or spike, in overdose events. ODMAP is only available to government agencies serving the interest of public safety and health, and each agency wishing to use the system must sign a participation agreement designed to protect the data within the system. In California, the Emergency Medical Services Agency (EMSA), the lead state agency that oversees emergency and disaster medical services, has entered into a data sharing agreement with ODMAP.

Proposed Law: Specific provisions of the bill would:

- Require a coroner or medical examiner who evaluates an individual who died, in the coroner or medical examiner's expert opinion, as the result of an overdose as a contributing factor, to report the incident to the Overdose Detection Mapping Application Program managed by the Washington/Baltimore High Intensity Drug Trafficking Area program, as specified.

- Require the coroner or medical examiner to make the report as soon as possible, but not later than 72 hours after examining the individual. Require that if the cause of death is still preliminary and pending toxicology screens, the coroner or medical examiner must report the overdose as a preliminary report, and must update the report when the cause of death is confirmed.
- Exempt a coroner or medical examiner from civil or criminal liability for making a report in good faith.
- Prohibit overdose information reported by a coroner or medical examiner from being used in a criminal investigation or prosecution.

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