

211.684 Authorization to establish state child fatality review team -- Establishment of state maternal fatality review team -- Annual report on child and maternal fatalities to include demographics of race, ethnicity, and geography -- Privilege in civil actions.

- (1) For the purposes of KRS Chapter 211:
 - (a) "Child fatality" means the death of a person under the age of eighteen (18) years; and
 - (b) "Maternal fatality" means the death of a woman during pregnancy and within one (1) year of the end of the pregnancy.
- (2) The Department for Public Health may establish a state child fatality review team. The state child fatality review team may include representatives of public health, social services, law enforcement agencies with investigation responsibilities for child fatalities, the offices of Commonwealth's and county attorneys, coroners, health-care providers, and other agencies or professions deemed appropriate by the commissioner of the department.
- (3) If a state child fatality review team is created, the duties of the state team may include but not be limited to the following:
 - (a) Develop and distribute a model protocol for local child fatality response teams for the investigation of child fatalities;
 - (b) Facilitate the development of local child fatality response teams, as permitted under KRS 211.686, including but not limited to providing joint training opportunities and, upon request, providing technical assistance;
 - (c) Review and approve local protocols prepared and submitted by local teams;
 - (d) Receive data and information on child fatalities and analyze the information to identify trends, patterns, and risk factors;
 - (e) Evaluate the effectiveness of prevention and intervention strategies adopted;
 - (f) Recommend changes in state programs, legislation, administrative regulations, policies, budgets, and treatment and service standards which may facilitate strategies for prevention and reduce the number of child fatalities; and
 - (g) Cooperate, as appropriate, with the external child fatality and near fatality review panel established by KRS 620.055 upon request.
- (4) The department shall establish a state maternal fatality review team. The state maternal fatality review team may include representatives of public health, social services, law enforcement, coroners, health-care providers, and other agencies or professions deemed appropriate by the commissioner of the department.
- (5) The duties of the state maternal fatality review team may include but not be limited to the following:
 - (a) Receive data and information on maternal fatalities and analyze the information to identify trends, patterns, and risk factors;
 - (b) Evaluate the effectiveness of prevention and intervention strategies adopted; and
 - (c) Recommend changes in state programs, legislation, administrative

regulations, policies, budgets, and treatment and service standards which may facilitate strategies for prevention and reduce the number of maternal fatalities.

- (6) The department shall prepare an annual report to be submitted no later than November 1 of each year to the Governor, the Legislative Research Commission for referral to the Interim Joint Committee on Families and Children and the Interim Joint Committee on Health Services, the Chief Justice of the Kentucky Supreme Court, and to be made available to the citizens of the Commonwealth. The report shall include a statistical analysis, including but not limited to Medicaid, Kentucky Children's Health Insurance Program, or other health benefit coverage, race, ethnicity, and geography, of the incidence and causes of child and maternal fatalities in the Commonwealth during the past fiscal year and recommendations for action. The report shall not include any information which would identify specific child and maternal fatality cases. Separate reports may be submitted for the state child fatality review team and the state maternal fatality review team.
- (7) The proceedings, records, opinions, and deliberations of the state child fatality review team and of the state maternal fatality review team shall be privileged and shall not be subject to discovery, subpoena, or introduction into evidence in any civil action in any manner that would directly or indirectly identify specific persons or cases reviewed by the state child fatality review team or the state maternal fatality review team. Nothing in this subsection shall be construed to restrict or limit the right to discover or use in any civil action any evidence that is discoverable independent of the proceedings of the state child fatality review team or the state maternal fatality review team.

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History: Amended 2024 Ky. Acts ch. 207, sec. 18, effective July 15, 2024. -- Amended 2023 Ky. Acts ch. 25, sec. 24, effective June 29, 2023. -- Amended 2022 Ky. Acts ch. 211, sec. 28, effective January 1, 2023; and ch. 223, sec. 12, effective January 1, 2023. -- Amended 2021 Ky. Acts ch. 121, sec. 1, effective June 29, 2021. -- Amended 2018 Ky. Acts ch. 152, sec. 3, effective July 14, 2018; and ch. 159, sec. 54, effective July 14, 2018. -- Amended 2000 Ky. Acts ch. 14, sec. 61, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 426, sec. 311, effective July 15, 1998. -- Created 1996 Ky. Acts ch. 347, sec. 3, effective July 15, 1996.