

# OFR: Where to Start

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# Learning Objectives

- After this session, participants will be able to:
- Describe the purpose and value of an OFR
- Understand how to begin an OFR
- Connect with OFR experts and resources

# OFR Purpose and Value

- Overdoses are preventable

# OFR Purpose and Value

- Overdoses are preventable
- Identify systems gaps: missed opportunities for prevention and intervention

# OFR Purpose and Value

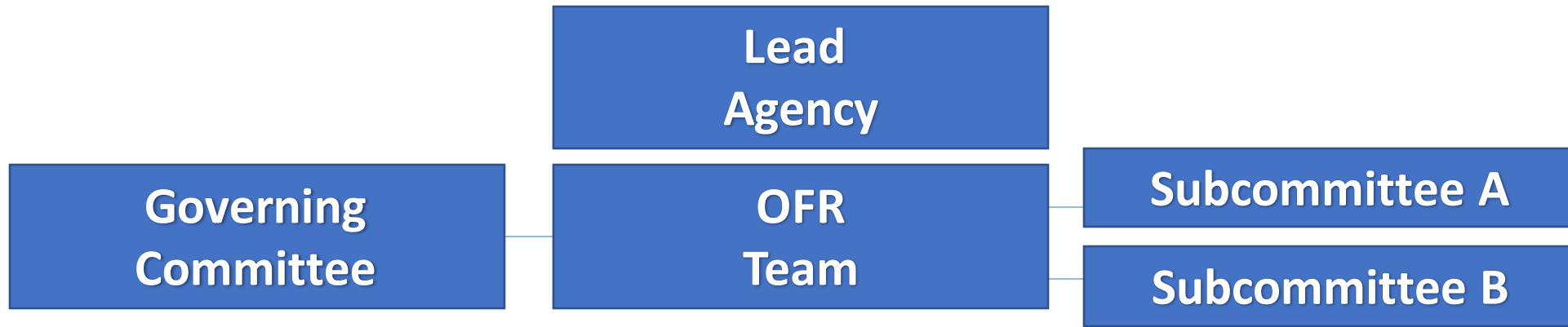
- Overdoses are preventable
- Identify systems gaps: missed opportunities for prevention and intervention
- Design innovative community-specific prevention strategies



# 360° Overdose Data to Action

[Video](#)

# Public Health and Safety Team Leadership and Structure



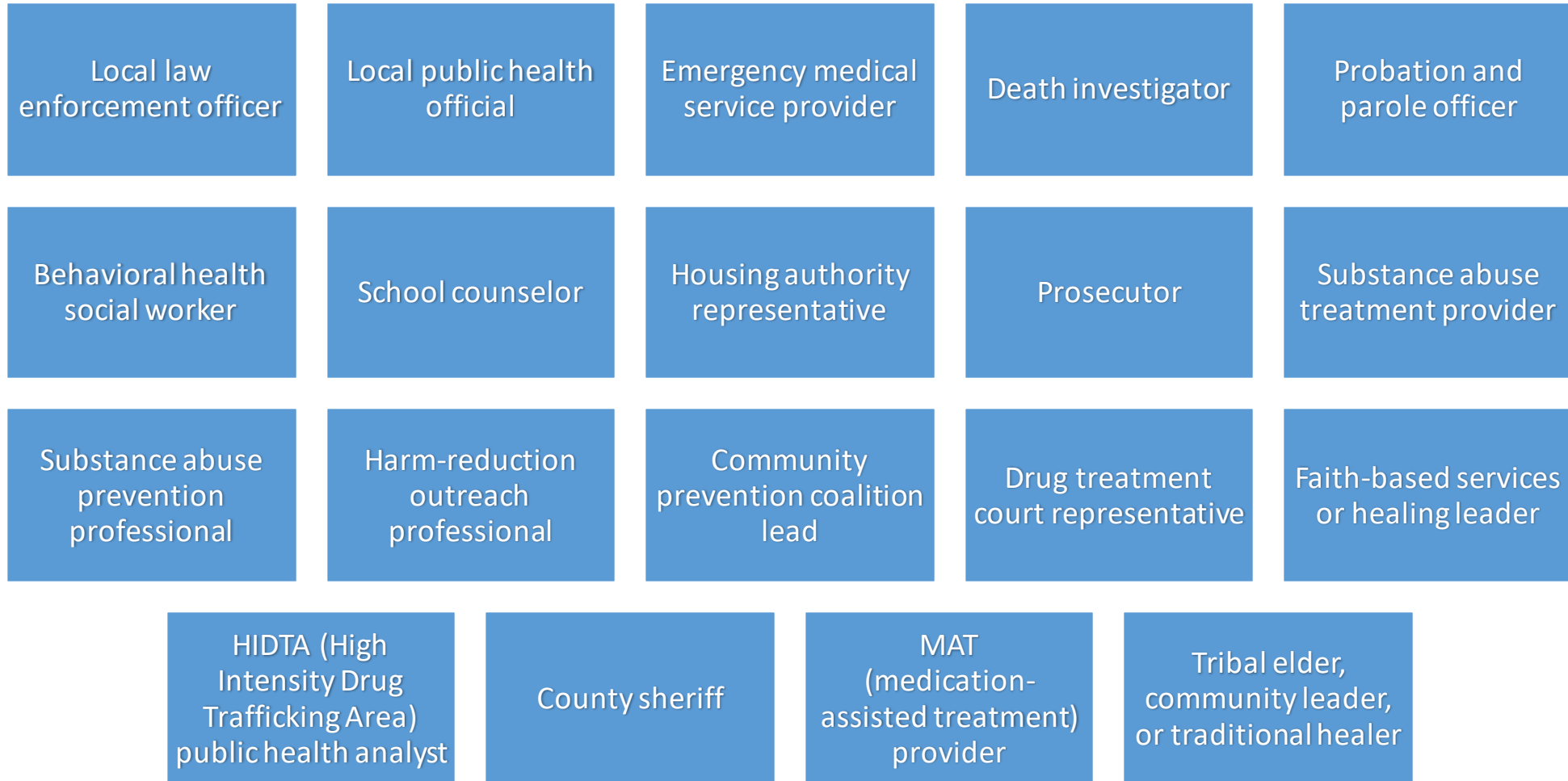
**Lead Agency:** Oversees the OFR team coordination and provides administrative support

**Governing Committee:** Supports and provides resources to implement recommendations generated by case reviews

**OFR Team:** Multidisciplinary team that reviews a series of individual deaths to identify system-level missed opportunities for prevention and intervention

**Subcommittee:** Focuses attention on a recommendation or need, such as case selection

# OFR Team Members







# OFR Meeting: Agenda

- Opening remarks
- Goals and ground rules
- Confidentiality
- Summary, aggregate data
- Case presentation
- Agency report outs
- Case summarized and timeline drawn
- Formulate recommendations
- Summarize and adjourn

# OFR Meeting: Facilitation

- Facilitator needs to be a neutral convener
  - Good listener
  - Develops trust with partners
  - Encourages group participation and engagement
  - Leads, but does not direct discussion
  - Guides the group towards collective problem-solving to craft recommendations

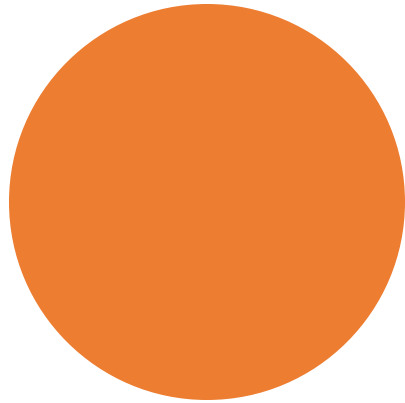


# Data Collection: Confidentiality

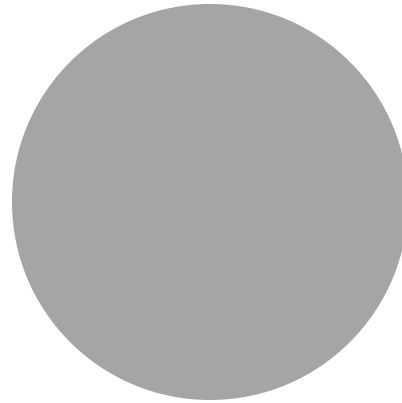
- Confidentiality is essential
- Data sharing agreements
- Confidentiality agreements
- State legislation



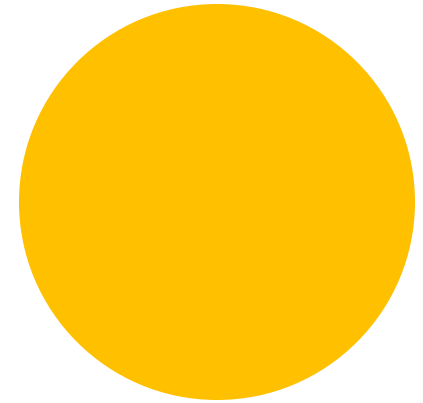
# Data Collection: OFR Data System



**SECURE AND STORED AT A  
NEUTRAL AGENCY**



**STANDARD DATA ELEMENTS**



**OFR DATA SYSTEM VERSION  
2.0**



# Data System Content

- OFR meeting administration
- Decedent information
- Community context
- Next-of-kin information
- Recommendation

Register to use OFR Data System Version 2.0

- On your server – REDCap
- On IIR server – Data Access Group

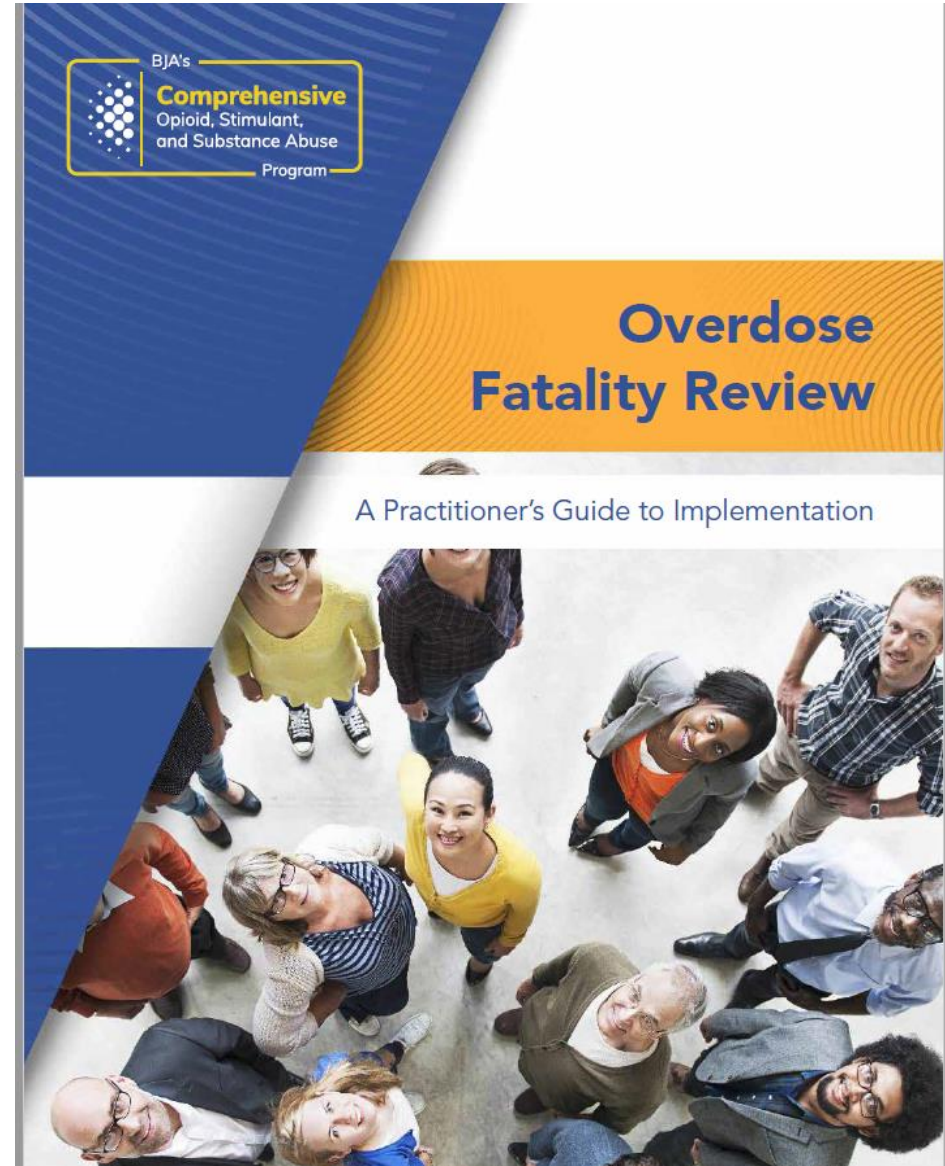
# Recommendation: Significant Impact

Improve	Improve service delivery and investigation
Change	Change agency policies and practices
Revise	Revise local ordinance or state legislation
Initiate or modify	Initiate or modify community prevention strategies



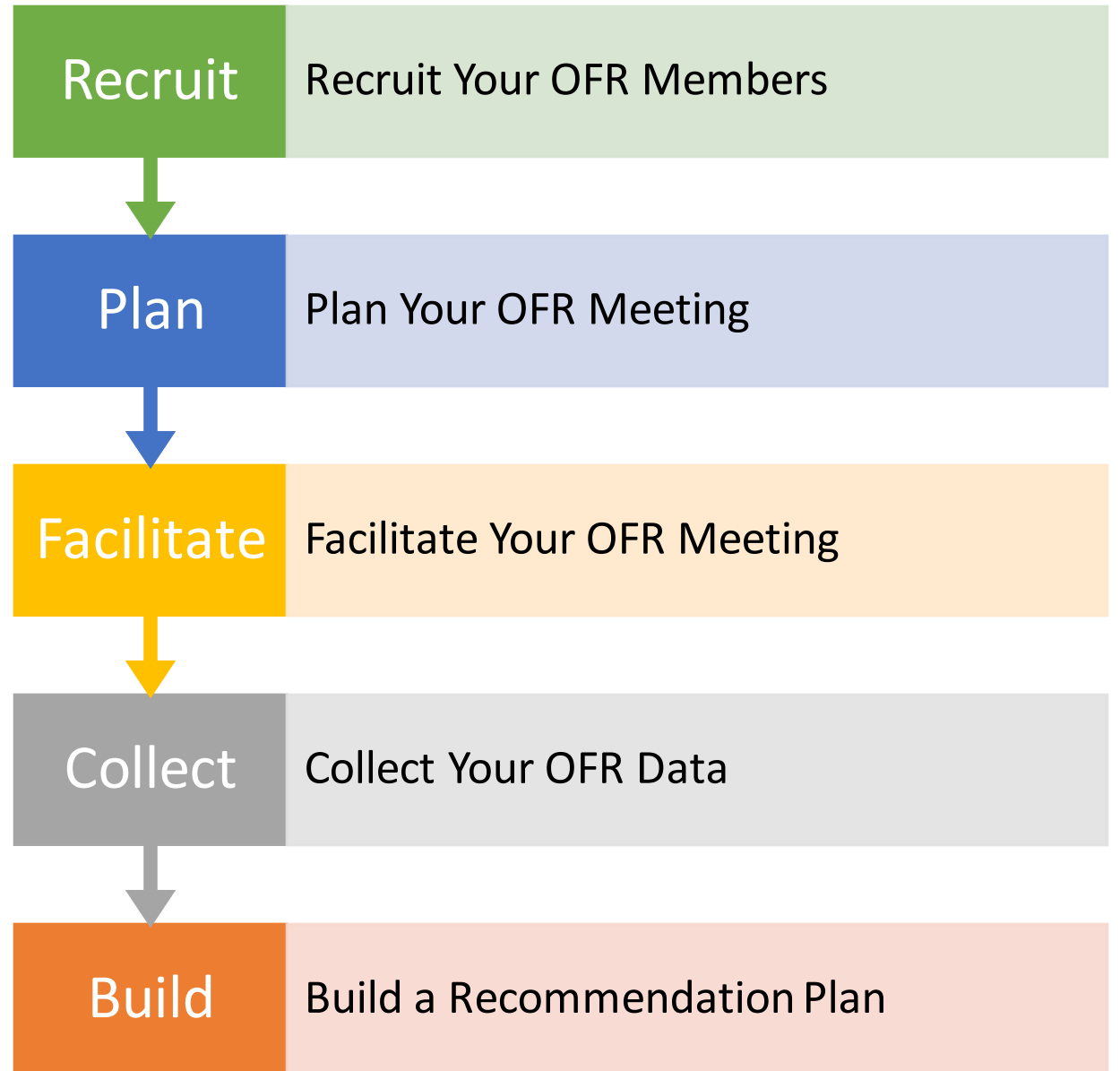
## Resources and Tools

# Overdose Fatality Review: A Practitioner's Guide to Implementation

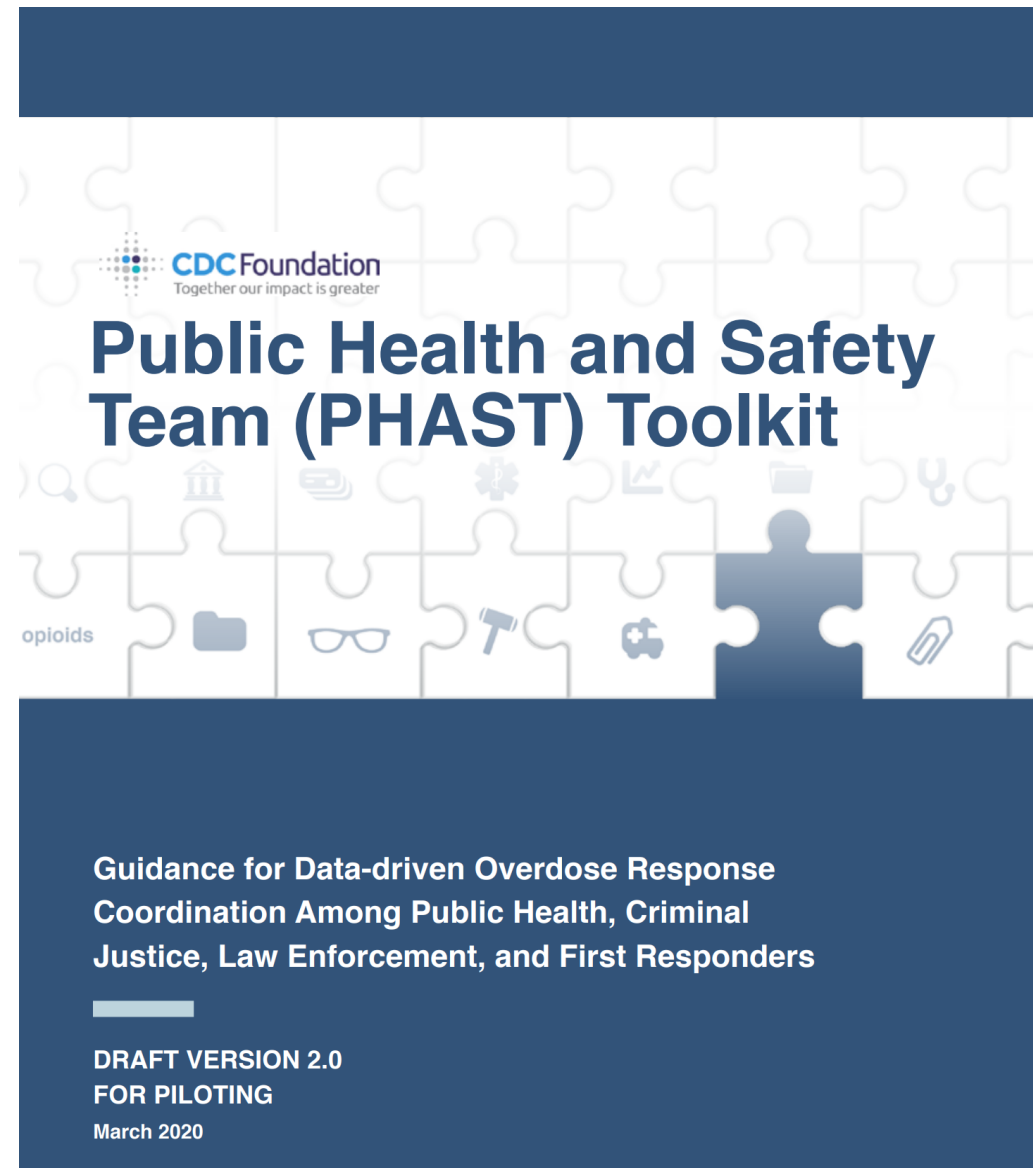




# Modules



# PHAST Toolkit



# OFR Resources

BJA's Comprehensive Opioid, Stimulant, and Substance Abuse Program

COSSAP GRANT PROGRAM | LEARNING OPPORTUNITIES | AREAS OF FOCUS | TOOLS & FRAMEWORKS | PUBLICATIONS & DIGITAL MEDIA

SEARCH

EXPLORE MODULES

- Recruit Your OFR Members
- Plan Your Meetings
- Facilitate Your Meeting
- Collect Your Data
- Build A Recommendation Plan

OFR Overdose Fatality Review

Overdose Fatality Reviews (OFRs) effectively identify system gaps and innovative community-specific overdose prevention and intervention strategies.

Download Manual | **OFR Resources** | OFR TTA Request

## OFR RESOURCES

Filters:  From The Field

- From the Field: Approaching OFR Partners (Report — 1/27/2021)
- From the Field: OFR Project Management Template (Report — 1/27/2021)
- From the Field: OFR Project Management Tool Demonstration (Video — 1/27/2021)
- From the Field: OFR Project Management Tool Instructions (Report — 1/27/2021)
- From the Field: Opioid Fatality Review Boards: State Laws (Report — 12/10/2020)
- From the Field: Sample New Member Packet (Report — 5/13/2021)
- Just Partnerships to Enhance Overdose Fatality Review (Podcast — 2/19/2021)
- Overdose Fatality Review Teams Literature Review (Publication — 2/19/2021)
- Overdose Fatality Review Teams: Partnerships with PDMPs (Meeting Presentation — 8/11/2020)
- Overdose Fatality Review
- Overdose Response Strategy
- Overdose Response Strategy

# OFR Project Management Tools

OFR\_Project\_Management\_Template (8).xlsx - Excel

Home Insert Draw Page Layout Formulas Data Review View Help Acrobat Design Tell me what you want to do

Clipboard Font Alignment Number Styles Cells Editing

Facilitator

## Overdose Fatality Review

EXAMPLE County

Project Coordinator: \_\_\_\_\_  
 Facilitator: \_\_\_\_\_  
 Data Manager: \_\_\_\_\_

Project Start Date:   
 Show Schedule Starting at Day:

January

Task/Milestone Description	OFR Guide	Assigned To	Comments	Progress	Start	No. of Days	January											
							4	5	6	7	8	9	10	11	12	13	14	
							M	T	W	T	F	S	S	M	T	W	T	
<b>OFR Orientation</b>																		
Review Module 1: OFR Member Recruitment	pp. 4-12	Facilitator, Coordinator	More on this module at the COSSAP OFR website: <a href="https://www.cossapresources.org/Tools/OFR/Recruit">https://www.cossapresources.org/Tools/OFR/Recruit</a>	100%	1/4/2021	1												
Review Module 2: Planning OFR Meetings	pp. 13-18	Facilitator, Coordinator	More on this module at the COSSAP OFR website: <a href="https://www.cossapresources.org/Tools/OFR/Plan">https://www.cossapresources.org/Tools/OFR/Plan</a>	100%	1/5/2021	1												
Review Module 3: Facilitating OFR Meetings	pp. 19-27	Facilitator, Coordinator	More on this module at the COSSAP OFR website: <a href="https://www.cossapresources.org/Tools/OFR/Facilitate">https://www.cossapresources.org/Tools/OFR/Facilitate</a>	100%	1/6/2021	1												
Review Module 4: Collecting Data	pp. 28-31	Facilitator, Coordinator, Data Manager	More on this module at the COSSAP OFR website: <a href="https://www.cossapresources.org/Tools/OFR/Collect">https://www.cossapresources.org/Tools/OFR/Collect</a>	0%	1/8/2021	1												
Review Module 5: Building a Recommendation Plan	pp. 33-37	Facilitator, Coordinator, Data Manager	More on this module at the COSSAP OFR website: <a href="https://www.cossapresources.org/Tools/OFR/Build">https://www.cossapresources.org/Tools/OFR/Build</a>	0%	1/12/2021	1												
<b>OFR Initial Planning</b>																		
Identify "governing committee"	p. 12	Coordinator	Do we have a local coalition/task force that is a good fit?		1/4/2021	2												
Identify coordinator, facilitator, and data manager roles	pp. 8-11	Coordinator	Are these different individuals? Do we need to hire someone?	60%	1/4/2021	2												
Get county council approval		Coordinator	County council meets the second Tuesday		1/12/2021	1												

Gantt How To

# OFR Project Management Tools

**Overdose Fatality Review**  
EXAMPLE County

Project Coordinator:  
Facilitator:  
Data Manager:

Task/Milestone Description	OFR Guide	Assigned To
<b>OFR Orientation</b>		
Review Module 1: OFR Member Recruitment	pp. 4-12	Facilitator, Coordinator
Review Module 2: Planning OFR Meetings	pp. 13-18	Facilitator, Coordinator
Review Module 3: Facilitating OFR Meetings	pp. 19-27	Facilitator, Coordinator
Review Module 4: Collecting Data	pp. 28-31	Facilitator, Coordinator, Data Manager
Review Module 5: Building a Recommendation Plan	pp. 33-37	Facilitator, Coordinator, Data Manager
<b>OFR Initial Planning</b>		
Identify "governing committee"	p. 12	Coordinator
Identify coordinator, facilitator, and data manager roles	pp. 8-11	Coordinator
Get county council approval		Coordinator

**FROM THE FIELD: OFR PROJECT MANAGEMENT TOOL DEMONSTRATION**

This video walks the viewer through how to modify and use the OFR Project Management Template Gantt chart.

**Christina Galardi**  
*Public Health Analyst, South Carolina*  
CDC Foundation, embedded at SC Department of Health and Environmental Control (DHEC)  
[galardcm@dhec.sc.gov](mailto:galardcm@dhec.sc.gov)

# OFR Project Management Tools

The image shows a composite view of project management tools. On the left is an Excel spreadsheet titled 'OFR Project Management Template (8).xlsx'. The spreadsheet includes a table for task/milestone descriptions and assigned personnel, and a Gantt chart at the bottom.

Task/Milestone Description	OFR Guide	Assigned To
<b>OFR Orientation</b>		
Review Module 1: OFR Member Recruitment	pp. 4-12	Facilitator, Coordinator
Review Module 2: Planning OFR Meetings	pp. 13-18	Facilitator, Coordinator
Review Module 3: Facilitating OFR Meetings	pp. 19-27	Facilitator, Coordinator
Review Module 4: Collecting Data	pp. 28-31	Facilitator, Coordinator, Data Manager
Review Module 5: Building a Recommendation Plan	pp. 33-37	Facilitator, Coordinator, Data Manager
<b>OFR Initial Planning</b>		
Identify "governing committee"	p. 12	Coordinator
Identify coordinator, facilitator, and data manager roles	pp. 8-11	Coordinator
Get county council approval		Coordinator

On the right is a video player showing a video titled 'FROM THE FIELD: OFR PROJECT MANAGEMENT'. The video content includes the following text:

**Christina Galardi**  
*Public Health Analyst*  
 CDC Foundation, embedded  
 Environmental Health  
[galardcm@cdc.gov](mailto:galardcm@cdc.gov)

Below the video player is a video control bar showing a play button and a progress indicator at 12:28.



Overdose Fatality Review:  
 Project Management Tool Instructions

Author: Christina Galardi, MPH, MCRP with CDC Foundation

LEGISLATIVE ANALYSIS AND PUBLIC POLICY ASSOCIATION

# MODEL OVERDOSE FATALITY REVIEW TEAMS ACT

February 2021



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# Information Sharing Guidance



## Overdose Fatality Review Teams: Behavioral Health Records

### How can we obtain behavioral health records after a person dies?

#### Response

Behavioral health records fall into one of two categories:

1. Behavioral health records that do not contain Part 2 records, such as records about treatment for depression or anxiety; and
2. Behavioral health records that do include Part 2 records.

**Behavioral health records that DO NOT contain Part 2 records** are treated the same as other medical records. Medical records containing protected health information (PHI) are safeguarded by HIPAA (the Health Insurance Portability and Accountability Act). Therefore, in order to obtain a decedent's behavioral health records from a HIPAA-covered entity that: (1) do not contain Part 2 records; but (2) do contain PHI, an OFR team must rely on one of the following options:

- State statute, state regulation, or local ordinance that specifically allows an OFR team to receive the information;
- State statute, state regulation, or local ordinance that allows a public health authority to access the records for certain purposes (such as health surveillance or death investigations); or
- Authorization form signed by the decedent's authorized personal representative.

**PRACTICE TIP**



# Information Sharing Guidance

The screenshot shows a document from the Overdose Fatality Review (OFR) team. The header includes the OFR logo and the text 'OFR Overdose Fatality Review'. The main title is 'Overdose Fatality Review Teams: Child Services Records'. The document addresses the question: 'How can we obtain child services records after a person dies?'. It provides a 'Response' section stating that records can be obtained through state statute or by interviewing family/friends. An 'Additional Discussion' section references the federal CAPTA act and lists entities authorized to receive such information. A 'PRACTICE TIP' box notes that OFR teams are limited to family and friends' knowledge unless state statute allows otherwise.

**Overdose Fatality Review**

**Overdose Fatality Review Teams: Child Services Records**

**How can we obtain child services records after a person dies?**

**Response**

The only way an OFR team can acquire records directly from the state department of children's services is through state statute requiring that the records be provided to the OFR team upon request. Alternatively, teams may wish to interview the family or friends of the decedent for any information or reports they can provide regarding the decedent's potential involvement with children's services.

**Additional Discussion**




The federal Child Abuse Prevention and Treatment Act (CAPTA) authorizes federal grants to states for child abuse or neglect prevention and treatment programs.<sup>1</sup> In order for a state to be eligible to receive a grant, the state plan specifying how grant funds will be used must provide for "methods to preserve the confidentiality of all records" gathered and maintained by a state's department of children's services.<sup>2</sup> Under this CAPTA provision, a state may only share these records with the following:

- Individuals who are the subject of the report;
- Federal, state, or local governmental entities, or any agent of such entities, that has a need for such information in order to carry out its responsibilities under law to protect children from abuse and neglect;
- Child abuse citizen review panels;
- Child fatality review panels;
- A grand jury or court, upon a finding that information in the record is necessary for the determination of an issue before the court or grand jury;
- Other entities or classes of individuals statutorily authorized by the state to receive such information

**PRACTICE TIP**

OFR teams are limited to family and friends' first-hand knowledge about involvement with child services, absent express state statute authorizing disclosure.

# Information Sharing Guidance

**Overdose Fatality Review Teams: Educational Records**

## How can we obtain educational records after a person dies?

**Response**

If the decedent meets the U.S. Department of Education definition of “eligible student,” the privacy protections afforded by FERPA lapse or expire upon the death of the student.<sup>1</sup>

An “eligible student” is a student who is:

1. Over age 18; or
2. Under age 18 but enrolled in an institute of higher learning (e.g., college, university, community college).<sup>2</sup>

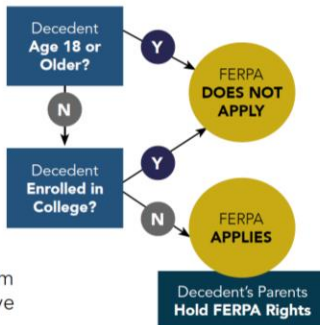
In situations where neither (1) nor (2) are true at the time of death, the decedent’s privacy rights under FERPA are held by his or her parents until their deaths.<sup>3</sup> In that situation, the OFR team would need: (1) a consent form signed by the parents allowing the team to access the records; or (2) to have the parents request the records on behalf of the OFR team.

**Additional Discussion**

Under federal law, educational records are covered by the Family Educational Rights and Privacy Act (FERPA) which sets out the circumstances under which such records may be used and disclosed.<sup>4</sup>

**PRACTICE TIP**

Given the age of most decedents reviewed by



```

graph TD
    A[Decedent Age 18 or Older?] -- Y --> B((FERPA DOES NOT APPLY))
    A -- N --> C[Decedent Enrolled in College?]
    C -- Y --> B
    C -- N --> D((FERPA APPLIES))
    D --- E[Decedent's Parents Hold FERPA Rights]
    
```

# Information Sharing Guidance

**Overdose Fatality Review Teams: Limiting Use of Shared Information**

## How can we limit attendees' use of shared information?

**Response**

OFR teams can limit how information shared in an OFR team meeting can be used by attendees (such as police departments and prosecutors' offices who pursue charges against those who sold drugs to overdose victims) by using inter-agency, data sharing agreements and confidentiality agreements.

OFR teams should be governed by an inter-agency, data-sharing agreement (DSA) or data sharing Memorandum of Understanding (MOU) that specifically defines how information obtained as part of the OFR process can and cannot be used outside of that process. The DSA or MOU should be developed and signed during the formation of the OFR team.<sup>1</sup>

In addition, the OFR team should require each team member and observer to sign a confidentiality agreement that: (1) sets out all requirements for keeping information shared during the meeting confidential; and (2) prohibits any use of such information not in keeping with the OFR team's goals and responsibilities.<sup>2</sup> The confidentiality agreement should be clear that it does not prevent a team member from fulfilling any agency-mandated responsibilities of that individual.<sup>3</sup>

Because an OFR team may find it problematic to determine who has and who has not signed a confidentiality agreement due to the number of people in attendance at a team meeting, the OFR team should require each team member and observer to sign the confidentiality agreement at the start of each meeting. Confidentiality agreements should be kept with the other documents related to the team meeting.

**PRACTICE TIP**

More information about an OFR team's use of data sharing and confidentiality agreements can be found on <https://www.cossapresources.org/Tools/OFR>.

**Interagency MOU**

- Signed by senior leadership of each participating agency/member of the OFR team during the team's formation

**Confidentiality Agreements**

- Signed by each member of the OFR team, and every non-member observer, at the start of each OFR team meeting

**Overdose Fatality Review Teams: Limiting Use of Shared Information**

## How can we limit attendees' use of shared information?

**Response**

If the decedent meets the "eligible student," the privacy rights expire upon the death of the decedent.

An "eligible student" is a student who:

- Over age 18; or
- Under age 18 but enrolled in a postsecondary institution (e.g., college, university).

In situations where neither the decedent nor the decedent's privacy rights expire upon the death of the decedent, the OFR team should require the parents or legal representative to request the release of records.

**Additional Discussion**

Under federal law, educational records may be used and shared for the purposes of the OFR process.

**Behavioral health records**

Behavioral health records are records that contain information about a person's mental health, substance use, or other behavioral health issues. These records are often shared with other agencies for the purpose of providing care and support to the individual.

1. Behavioral health records that contain information about a person's mental health, substance use, or other behavioral health issues.

2. Behavioral health records that contain information about a person's mental health, substance use, or other behavioral health issues.

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1. Behavioral health records that contain information about a person's mental health, substance use, or other behavioral health issues.

2. Behavioral health records that contain information about a person's mental health, substance use, or other behavioral health issues.



# Information Sharing Guidance





### Overdose Fatality Review

#### How can we limit attendees' access to information?

**Response**

Behavioral health records are protected under the Health Insurance Portability and Accountability Act (HIPAA). The only way to obtain these records is through a HIPAA-covered entity. OFR teams may request records through a HIPAA-covered entity. Behavioral health records may be used and shared for the purposes of the OFR process.

**Behavioral health records.** Medical records from a HIPAA-covered entity must rely on one of the following options:

- State statute, state regulation, or local ordinance that specifically allows an OFR team to receive the information;
- State statute, state regulation, or local ordinance that allows a public health authority to access medical records for certain purposes (such as health surveillance or death investigations); or
- Authorization form signed by the decedent's authorized personal representative.

**Additional Discussion**

Under federal law, educational records may be used and shared for the purposes of the OFR process.

### Overdose Fatality Review Teams: Limiting Use of Shared Information

#### How can we limit attendees' access to information?

**Response**

OFR teams can limit how information shared in an interagency or data sharing Memorandum of Understanding (MOU) information obtained as part of the OFR process of that process. The DSA or MOU should be developed in fulfillment of any agency-mandated responsibilities.

In addition, the OFR team should require each team member to sign a confidentiality agreement that: (1) sets out all records shared during the meeting confidential; and (2) prohibits information not in keeping with the OFR team's confidentiality agreement should be clear that it is from fulfilling any agency-mandated responsibilities.

Because an OFR team may find it problematic to obtain information due to the number of people in attendance, each team member and observer to sign the confidentiality agreements should be kept with the team.

**Interagency MOU**

- Signed by senior leadership of each participating agency/member of the OFR team during the team's formation

### Overdose Fatality Review Teams: Medical Records

#### How can I obtain medical records after a person dies?

**Response**

Medical records containing protected health information (PHI) are safeguarded by HIPAA (the Health Insurance Portability and Accountability Act) for 50 years after an individual dies. Therefore, to obtain medical records of a decedent that contain PHI from a HIPAA-covered entity, an OFR team must rely on one of the following options:

- State statute, state regulation, or local ordinance that specifically allows an OFR team to receive the information;
- State statute, state regulation, or local ordinance that allows a public health authority to access medical records for certain purposes (such as health surveillance or death investigations); or
- Authorization form signed by the decedent's authorized personal representative.

Determining the best option for an OFR team is dependent upon the team's situation as outlined below:

**Options for Obtaining Medical Records**

```

graph TD
    Q1[Is there a state statute, state regulation, or local ordinance allowing an OFR team to receive medical records?] -- Y --> A1[HIPAA allows disclosure to an OFR team [45 C.F.R. § 164.512(a)]]
    Q1 -- N --> Q2[Is there a state statute, state regulation, or local ordinance allowing a public health authority to receive medical records for a specific purpose?]
    Q2 -- Y --> A2[HIPAA allows disclosure to an OFR team generally if certain elements are met [45 C.F.R. § 164.512(b)(1)]]
    Q2 -- N --> End[ ]
    
```

observer, at the start of each OFR team meeting

# Information Sharing Guidance






### Overdose Fatality Review

#### How can we limit attendees' use of information?

**Response**

OFR teams can limit how information shared in an OFR by attendees (such as police departments and prosecutors) is used. This can be done through the following options:

- State statute, state regulation, or local ordinance allowing a public health authority to receive medical records for a specific purpose;
- State statute, state regulation, or local ordinance allowing a public health authority to receive medical records for a specific purpose;
- Authorization form signed by attendees.

Determining the best option for your team depends on your state's laws and the needs of your team.

**Additional Discussion**

Under federal law, educational records may be used and shared for the purpose of an OFR.

### Overdose Fatality Review

#### How can I obtain medical records from a decedent's family or friends?

**Response**

Medical records containing protected health information (PHI) are subject to the Health Insurance Portability and Accountability Act (HIPAA), 42 U.S.C. § 290dd-2, or 42 C.F.R. Part 2. This is because these individuals are neither HIPAA-covered entities nor Part 2 program. Therefore, the OFR team is free to speak with any of the decedent's family or friends without needing a release or consent form, and any information received by the team from a decedent's family or friends can and should be shared freely with the rest of the OFR team.

If, however, the OFR team contacts these individuals for the additional purpose of obtaining consent to receive medical, behavioral health, or educational records from other providers, then the team should provide a consent or authorization form for signature by the appropriate next-of-kin or personal representative for that purpose.

Even though it is not legally necessary to get written consent from the decedent's family or friends to share information obtained from those individuals, the OFR team should provide an informational document to any family members or friends with whom they are speaking. The document should set out:

- The purpose of the OFR team;
- The information the team seeks and how that information will be used by the team;
- Who will have access to the information;
- The confidentiality provisions in place to protect the information; and
- The OFR team's contact information.

Finally, family or friends may ask for a report about the OFR team's findings. OFR teams may share any general recommendations with friends and family that includes their loved one's information. However, the confidentiality agreement signed by OFR team members should prohibit disclosing any specific information or report about a case review to any person who is not a member of the OFR team, including family and friends.

### Overdose Fatality Review Teams: Next-of-Kin Information

#### Do we need signed consent to share information from the decedent's friends or family?

**Response**

No. Health information known firsthand by a decedent's family, friends, next-of-kin, or other loved ones is not subject to the Health Insurance Portability and Accountability Act (HIPAA), 42 U.S.C. § 290dd-2, or 42 C.F.R. Part 2. This is because these individuals are neither HIPAA-covered entities nor Part 2 program. Therefore, the OFR team is free to speak with any of the decedent's family or friends without needing a release or consent form, and any information received by the team from a decedent's family or friends can and should be shared freely with the rest of the OFR team.

If, however, the OFR team contacts these individuals for the additional purpose of obtaining consent to receive medical, behavioral health, or educational records from other providers, then the team should provide a consent or authorization form for signature by the appropriate next-of-kin or personal representative for that purpose.

Even though it is not legally necessary to get written consent from the decedent's family or friends to share information obtained from those individuals, the OFR team should provide an informational document to any family members or friends with whom they are speaking. The document should set out:

- The purpose of the OFR team;
- The information the team seeks and how that information will be used by the team;
- Who will have access to the information;
- The confidentiality provisions in place to protect the information; and
- The OFR team's contact information.

Finally, family or friends may ask for a report about the OFR team's findings. OFR teams may share any general recommendations with friends and family that includes their loved one's information. However, the confidentiality agreement signed by OFR team members should prohibit disclosing any specific information or report about a case review to any person who is not a member of the OFR team, including family and friends.

**Interagency MOU**

- Signed by senior leadership of each participating agency/member of the OFR team during the team's formation

**Flowchart:**

```

    graph TD
      Q1[Is there a state statute or local ordinance allowing a public health authority to receive medical records for a specific purpose?] -- N --> Q2[Is there a state regulation, or local ordinance allowing a public health authority to receive medical records for a specific purpose?]
      Q2 -- Y --> A1[HIPAA allows disclosure to an OFR team generally if certain elements are met [45 C.F.R § 164.512(b)(1)]]
      Q2 -- N --> A2[HIPAA allows disclosure to an OFR team generally if certain elements are met [45 C.F.R § 164.512(b)(1)]]
    
```

**PRACTICE TIP**

OFR teams can speak with family members and friends without written consent, but can get written consent from family members to obtain records from other providers.





# Information Sharing Guidance



### Overdose Fatality Review Teams: PDMP Records

#### How can we obtain prescription drug monitoring program (PDMP) records after a person dies?

**Response**

In the absence of a specific state statute or regulation authorizing the release of PDMP records to an OFR team, it is unlikely the team can directly receive prescription information from the state PDMP. However, OFR teams should contact the administrator of their state PDMP to determine if other avenues exist through which one or more team members can obtain PDMP records in the absence of direct authority, such as via the decedent's medical file or a next-of-kin request.

**Additional Discussion**

State statute or regulation may allow an OFR team access to PDMP records. Approximately 40% of state PDMP are HIPAA-covered entities, while the other 60% are not. Regardless of a PDMP's status as a HIPAA-covered entity, disclosure and redisclosure of information held by PDMPs is governed by state law rather than by HIPAA as state laws place tighter limits on disclosure. Due to concerns regarding patient privacy, states are very strict regarding the disclosure and redisclosure of PDMP information, and virtually all state PDMP laws include severe penalties for accessing or sharing PDMP records without authorization. Obtaining the prescription history of a decedent directly from the PDMP typically requires a statute or regulation that specifically allows the OFR team to receive such information. As of June 2021, only six states explicitly allow this.<sup>1</sup> However, if the OFR team is not located in one of those six states, the team should contact the PDMP administrator in their state and determine if there are any other ways in which PDMP records can be shared with the team.<sup>2</sup>

**State statute may allow PDMP records to become part of a Record Type, Applicable Laws and Actions**

Behavioral Health Records
Medical Records
Educational Records
Child Services Records
Other Records

### Overdose Fatality Review Teams: Limiting Use of Shared Information

#### How can we limit attendees' use of shared information?

**Response**

OFR teams can limit how information shared in an OFR by attendees (such as police departments and prosecutors) against those who sold drugs to overdose victims through data sharing agreements and confidentiality agreements.

OFR teams should be governed by an inter-agency, data or data sharing Memorandum of Understanding (MOU) information obtained as part of the OFR process can aid of that process. The DSA or MOU should be developed prior to the formation of the OFR team.<sup>1</sup>

In addition, the OFR team should require each team member to sign a confidentiality agreement that: (1) sets out all requirements for confidentiality during the meeting; and (2) prohibits the sharing of information not in keeping with the OFR team's goals and objectives. Confidentiality agreements should be clear that they do not release information from fulfilling any agency-mandated responsibilities of the team.

Because an OFR team may find it problematic to deter attendees from attending due to the number of people in attendance each team member and observer to sign the confidential confidentiality agreements should be kept with the team.

**Interagency MOU**

- Signed by senior leadership of each participating agency/member of the OFR team during the team's formation

### Overdose Fatality Review Teams: PDMP Records

#### How can we obtain prescription drug monitoring program (PDMP) records after a person dies?

**Response**

Individuals who are not healthcare professionals, or can attend OFR team meetings about the decedent's information.

- Proper medical records about the decedent
- Observers have authority that they are not team members

For each type of team meeting at:

- Determine if the team has authority to access the records
- Ensure that providing the information is in the best interest of the team and the decedent
- Ensure that the team has the ability to receive the information

Working through the team, or the team's representative, to discuss the value of the information to the team, or the team's representative.

Even though it is not a team member, the team should provide an individual with whom they are speaking with the information.

- The purpose of the information
- The information
- Who will have access to the information
- The confidentiality of the information
- The OFR team's goals and objectives

Finally, family or friends of the decedent may share any general recommendations with friends and family that includes their loved one's information. However, the confidentiality agreement signed by OFR team members should prohibit disclosing any specific information or report about a case review to any person who is not a member of the OFR team, including family and friends.

**Is there a state statute or local ordinance allowing a public health authority to receive medical records for a specific purpose?**

**Y** → **HIPAA allows disclosure to an OFR team generally if certain elements are met [45 C.F.R § 164.512(b)(1)]**

**N** → **Behavioral Health Records, Medical Records, Educational Records, Child Services Records, Other Records**



# Training and Technical Assistance

BJA's **Comprehensive** Opioid, Stimulant, and Substance Abuse Program

COSSAP GRANT PROGRAM | LEARNING OPPORTUNITIES | AREAS OF FOCUS | TOOLS & FRAMEWORKS | PUBLICATIONS & DIGITAL MEDIA

SEARCH

Recruit Your OFR Members

Build A Recommendation Plan

Plan Your Meetings

EXPLORE MODULES

Collect Your Data

Facilitate Your Meeting

OFR Overdose Fatality Review

Overdose Fatality Reviews (OFRs) effectively identify system gaps and innovative community-specific overdose prevention and intervention strategies.

Download Manual | OFR Resources | **OFR TTA Request**

Tools & Frameworks OFR

## TRAINING AND TECHNICAL ASSISTANCE REQUEST

The fields marked with the \* are required.

Name \*

Agency \*

Current Grant Funding Source

Title \*

City \*

State/Territory \*

Email \*

Phone Number \*

TTA Type \*



# OFR Email Exchange

Great way to network with your peers

- Send an email to the group ([OFR@cossapresources.org](mailto:OFR@cossapresources.org)), and every member of the list will get the email. That is all there is to it
- Sign up by emailing [COSSAP@iir.com](mailto:COSSAP@iir.com) and request to be added to the COSSAP OFR Email Exchange

The screenshot shows the website [cossapresources.org/Tools/OFR](http://cossapresources.org/Tools/OFR). The header includes the logo for BJA's Comprehensive Opioid, Stimulant, and Substance Abuse Program, a search bar, and navigation tabs for COSSAP GRANT PROGRAM, LEARNING OPPORTUNITIES, AREAS OF FOCUS, TOOLS & FRAMEWORKS, and PUBLICATIONS & DIGITAL MEDIA. A dropdown menu is open under 'TOOLS & FRAMEWORKS', listing: Recruit Your OFR Members, Plan Your Meetings, Facilitate Your Meeting, Collect Your Data, Build A Recommendation Plan, OFR Message Exchange Sign-Up (circled in red), and OFR Resources. To the right of the menu, there are links for RTI Telehealth Tool, Overdose Fatality Review (highlighted), and PDMP TTAC Website. Below the menu is a circular diagram titled 'EXPLORE MODULES' with five interconnected nodes: Recruit Your OFR Members, Plan Your Meetings, Facilitate Your Meeting, Collect Your Data, and Build A Recommendation Plan. To the right of the diagram is a video player for 'OFR Overdose Fatality Review' with a description: 'In practice, Overdose Fatality Reviews involve a series of confidential individual death reviews by a multidisciplinary team to effectively identify system gaps and innovative community-specific overdose prevention and intervention strategies.' Below the video are buttons for 'Download Guide', 'OFR Resources', and 'OFR TTA Request'.

# OFR Peer Mentor Sites

The screenshot shows the BJA's Comprehensive Program website. The header includes the logo and navigation tabs: COSSAP GRANT PROGRAM, LEARNING OPPORTUNITIES, AREAS OF FOCUS, TOOLS & FRAMEWORKS, and PUBLICATIONS & DIGITAL MEDIA. A search bar is located in the top right. A dropdown menu is open under 'LEARNING OPPORTUNITIES', listing: Online Learning Center, Meetings and Convenings, Peer-to-Peer Learning Opportunities (highlighted in yellow), 2021 Virtual National Forum Overdose Fatality Review, Diversion and Referral Mentoring Initiative, Peer Recovery Support Services Mentoring Initiative, **OFR Peer Mentor Site Opportunities** (circled in red), and Jail-based Mentoring Initiative. On the left, an 'EXPLORE MODULES' section features five interconnected circles: Recruit Your OFR Members, Build A Recommendation Plan, Plan Your Meetings, Collect Your Data, and Facilitate Your Meeting. In the center, a video player displays the 'OFR Overdose Fatality Review' logo. Below the video, a text block explains that OFR involves confidential individual death reviews by a multidisciplinary team. At the bottom, there are three buttons: Download Guide, OFR Resources, and OFR TTA Request.

# OFR Peer Mentor Sites

BJA's **Comprehensive** Opioid, Stimulant, and Substance Abuse Program

COSSAP GRANT PROGRAM    LEARNING OPPORTUNITIES    AREAS OF FOCUS    TOOLS & FRAMEWORKS    PUBLICATIONS & DIGITAL MEDIA

Online Learning Center  
Meetings and Convenings  
**Peer-to-Peer Learning Opportunities**  
2021 Virtual National Forum Overdose Fatality Review

Diversion and Referral Mentoring Initiative  
Peer Recovery Support Services Mentoring Initiative  
**OFR Peer Mentor Site Opportunities**  
Jail-based Mentoring Initiative

**EXPLORE MODULES**

- Recruit Your OFR Members
- Build A Recommendation Plan
- Plan Your Meetings
- Collect Your Data
- Facilitate Your Meeting

**OFR Overdose Fatality**

In practice, Overdose Fatality Reviews involve a series of reviews by a multidisciplinary team to effectively identify community-specific overdose prevention and

[Download Guide](#)   [OFR Resources](#)

**OFR**  
Overdose Fatality Review

## OVERDOSE FATALITY REVIEW PEER MENTOR SITE OPPORTUNITIES

The purpose of the Overdose Fatality Review (OFR) Peer Mentor Program is to elevate, communicate, and leverage OFR promising practices while building bridges between nascent teams and those with demonstrated success. The OFR Peer Mentor Program provides a unique opportunity to learn the application and practice of OFR from experienced peers.

- Request a Virtual Site Visit
- OFR Peer Mentor Sites
- Review OFR Peer Mentor / Mentee Information

**ADDITIONAL OVERDOSE FATALITY REVIEW INFORMATION**

# 2021 Virtual National Forum

BJA's **Comprehensive** Opioid, Stimulant, and Substance Abuse Program

SEARCH

COSSAP GRANT PROGRAM    **LEARNING OPPORTUNITIES**    AREAS OF FOCUS    TOOLS & FRAMEWORKS    PUBLICATIONS & DIGITAL MEDIA

Learning Opportunities    Peer-to-Peer Learning Opportunities

PEER-TO-PEER

Online Learning Center

Meetings and Convenings

Peer-to-Peer Learning Opportunities

**2021 Virtual National Forum Overdose Fatality Review**

About The Forum

Forum Resources

Agenda

Presenters

### COSSAP PEER RECOVERY SUPPORT SERVICES MENTORING INITIATIVE

The purpose of Peer Recovery Support Services Mentoring Initiative (PRSSMI) is to advance the inclusion of peer recovery support services in jurisdictions' portfolios of substance abuse intervention and treatment strategies. PRSSMI participants are matched to an experienced "mentor site" program that provides consultation and support through virtual learning sessions and an on-site visit. Mentor sites are experienced collaborators with first responders, law enforcement, courts, jails, prisons, and community corrections to help people suffering from substance use disorder to achieve and maintain recovery from addiction.

PRSSMI MENTOR SITE       PRSSMI Mentor Site Application Form       Upload Mentor Application Documents

PRSSMI MENTEE SITE       PRSSMI Mentee Site Application Form       Upload Mentee Application Documents

# 2021 Virtual National Forum

The screenshot displays the website for BJA's Comprehensive Opioid, Stimulant, and Substance Abuse Program. The main navigation bar includes links for COSSAP GRANT PROGRAM, LEARNING OPPORTUNITIES, AREAS OF FOCUS, TOOLS & FRAMEWORKS, and PUBLICATIONS & DIGITAL MEDIA. A search bar is located in the top right corner. The page features a prominent section for the 2021 Virtual National Forum Overdose Fatality Review, which includes a circular logo and a list of links: ABOUT THE FORUM, FORUM RESOURCES, AGENDA, and PRESENTERS. Below this, there is a section titled BUILDING MOMENTUM with two paragraphs of text. The first paragraph states that although the forum has adjourned, users can still view the agenda, presenter information, resources, and session recordings. The second paragraph describes the forum as a series of confidential individual death reviews by a multidisciplinary team to identify system gaps and innovative prevention strategies. A date bar at the bottom indicates the forum dates: February 16-18, 2021 & February 23-25, 2021. On the left side, there are links for PEER-TO-PEER LEARNING OPPORTUNITIES, COSSAP PEER RECOVERY SUPPORT SERVICES, PRSSMI MENTOR SITE, and PRSSMI MENTEE SITE. The bottom of the page features a navigation menu with 'ABOUT THE FORUM' selected.

BJA's Comprehensive Opioid, Stimulant, and Substance Abuse Program

SEARCH

COSSAP GRANT PROGRAM LEARNING OPPORTUNITIES AREAS OF FOCUS TOOLS & FRAMEWORKS PUBLICATIONS & DIGITAL MEDIA

Learning Opportunities Peer-to-Peer Learning Opportunities

PEER-TO-PEER LEARNING OPPORTUNITIES

2021 VIRTUAL NATIONAL FORUM OVERDOSE FATALITY REVIEW

ABOUT THE FORUM FORUM RESOURCES AGENDA PRESENTERS

BUILDING MOMENTUM

Although the 2021 Virtual National Forum on Overdose Fatality Review has adjourned, you can still view the agenda, information about the presenters, resources, and recordings of sessions in this archival section.

Overdose Fatality Reviews (OFRs) involve a series of confidential individual death reviews by a multidisciplinary team to effectively identify system gaps and innovative, community-specific overdose prevention and intervention strategies.

The 2021 Virtual National Forum on Overdose Fatality Review, held in February 2021, offered a mix of general interest plenary panel discussions, guided virtual discussions, and café sessions for informal, small-group meetings. The forum was applicable to participants at all levels of expertise.

AGENDA

February 16-18, 2021 & February 23-25, 2021

ABOUT THE FORUM



# 2021 Virtual National Forum

The image is a composite of three overlapping screenshots from the 2021 Virtual National Forum website. The top-left screenshot shows the main navigation bar with the BJA's Comprehensive Opioid, Stimulant, and Substance Abuse Program logo, a search bar, and menu items for COSSAP GRANT PROGRAM and LEARNING OPPORTUNITIES. Below this, there are links for Learning Opportunities and Peer-to-Peer Learning Opportunities, and a section for PEER-TO-PEER RECOVERY SUPPORT SERVICES. The middle screenshot shows a navigation menu for the 2021 VIRTUAL NATIONAL FORUM ON OVERDOSE FATALITY REVIEW, with options for ABOUT THE FORUM, FORUM RESOURCES, AGENDA, and PRESENTERS. The rightmost screenshot is a detailed agenda page for Thursday, February 25th, titled "BRINGING IT ALL TOGETHER: MOCK OFR". It includes a "Back to Agenda" button, navigation arrows, and a session titled "EVALUATION: MEASURING THE VALUE OF OFR" from 1:00 p.m. to 2:00 p.m. The session description, moderator (Kristin Stainbrook, Ph.D.), and panelists (Brad Ray, Ph.D., Amy Parry, M.P.H., Mallory O'Brien, M.S., Ph.D., and Emily Costello, M.P.H., M.S.W.) are listed. A red circle highlights a "Session Recording" icon in the top right corner of the session details.

# Webinars

- Partnerships for Prevention: Overdose Fatality Review 101
- Rural-Focused OFR Webinar
- OFR Teams: Partnerships With PDMPs
- OFR and COVID-19 Response
- Uncovering the Connection Between a History of Problematic Substance Use and Brain Injury Matters in OFR

# OFR Data System Version 2.0



## Overdose Fatality Review Data System Guidance

Version 2.0

Version 1.0



# Register Your OFR

## Overdose Fatality Review Team Registration



Overdose Fatality Review (OFR) is being used by a growing number of communities to strengthen their community-based responses to the opioid epidemic. The Bureau of Justice Assistance (BJA) and Centers for Disease Control and Prevention (CDC) have partnered to provide training and technical assistance to OFRs. To best support OFR training and technical assistance, the Institute for Intergovernmental Research (IIR) is developing an online dashboard where people can find and connect with OFR teams in their states or across the country.

If you are an OFR coordinator, please take a moment to register your OFR team.

Next

0%

[Overdose Fatality Review Team Registration \(alchemer.com\)](https://alchemer.com)

# OFR Community of Practice Calls

New-to-OFR CoP (January 2022)

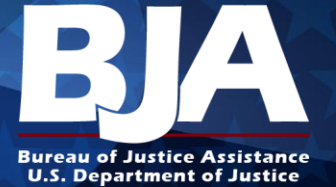
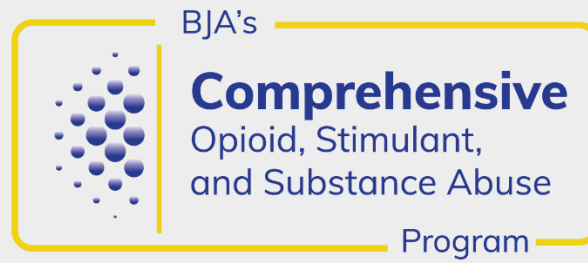
Rural and Small Jurisdiction  
(October 2021)

# Questions and Answers

## Contact Information

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Mallory O'Brien – [mallory.o'brien@usdoj.gov](mailto:mallory.o'brien@usdoj.gov)



# 2021 Virtual COSSAP National Forum

COSSAP 2021: New Partners, New Tools, Renewed Hope

<https://www.cossapresources.org>