

**EL PASO COUNTY ADULT FATALITY REVIEW TEAM  
CONFIDENTIALITY AGREEMENT**

Thank you for your membership and participation in the El Paso County Adult Fatality Review Team. Please understand that our activities are confidential. That helps protect our members, and more importantly, the dignity and privacy of decedents and those who survive them.

Under the law, you may only disclosure things that happen at the team's meetings to the extent necessary to carry out our purpose and duties. Likewise, all documents, records, and other kinds of information gathered by the team are confidential except in very limited circumstances. Improperly disclosing something can subject you to both criminal penalties and civil liability. So if you receive a subpoena, open records request, or any other inquiry about our meetings or the information that the team has gathered, please *immediately* contact the team's presiding officer for assistance.

The relevant confidentiality statutes are as follows:

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**TEXAS HEALTH & SAFETY CODE § 672.007—Meeting of Review Team**

(a) A meeting of a review team is closed to the public and not subject to the open meetings law, Chapter 551, Government Code.

(b) This section does not prohibit a review team from requesting the attendance at a closed meeting of a person who is not a member of the review team and who has information regarding a fatality resulting from suicide, family violence, or abuse.

(c) Except as necessary to carry out a review team's purpose and duties, members of a review team and persons attending a review team meeting may not disclose what occurred at the meeting.

**TEXAS HEALTH & SAFETY CODE § 672.009—Use of Information and Records; Confidentiality**

(a) Information and records acquired by a review team in the exercise of its purpose and duties under this chapter are confidential and exempt from disclosure under the open records law, Chapter 552, Government Code, and may only be disclosed as necessary to carry out the review team's purpose and duties.

(b) A report of a review team or a statistical compilation of data reports is a public record subject to the open records law, Chapter 552, Government Code, as if the review team were a governmental body under that chapter, if the report or statistical compilation does not contain any information that would permit the identification of an individual and is not otherwise confidential or privileged.

(c) A member of a review team may not disclose any information that is confidential under this section.

(d) A person commits an offense if the person discloses information made confidential by this section. An offense under this subsection is a Class A misdemeanor.

(e) Information, documents, and records that are confidential as provided by this section are not subject to subpoena or discovery and may not be introduced into evidence in any civil or criminal proceeding. A document or other information that is otherwise available from another source is not protected from subpoena, discovery, or introduction into evidence under this subsection solely because the document or information was acquired by a review team in the exercise of its duties under this chapter.

**TEXAS HEALTH & SAFETY CODE § 672.010—Civil Liability for Disclosure of Information**

Subject to the limits described in Section 101.023(b), Civil Practice and Remedies Code, a team organized pursuant to this chapter, or any member thereof, may be civilly liable for damages caused by the disclosure of information gathered pursuant to an investigation if such disclosure is made in violation of Section 672.007 and Section 672.009.

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**By signing below, you acknowledge that you understand and agree to these confidentiality rules**

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Signature

\_\_\_\_\_  
Today's Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Organization