CHAPTER 60

RELEASE OF MEDICAL EXAMINER, AUTOPSY, AND PATIENT INFORMATION — ORGAN PROCUREMENT ORGANIZATIONS

S.F. 335

AN ACT relating to the release of certain information to a procurement organization.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 22.7, subsection 41, Code 2015, is amended to read as follows:

41. *a.* Medical examiner records and reports, including preliminary reports, investigative reports, and autopsy reports. ~~However, medical examiner~~

b. Notwithstanding paragraph *"a"*, the following shall be released as follows:

(1) Medical examiner-authored records and reports, including preliminary reports, investigative reports, and autopsy reports, shall be released to a law enforcement agency that is investigating the death, upon the request of the law enforcement agency~~,~~.

(2) Preliminary reports of investigations by the medical examiner and autopsy reports for a decedent by whom an anatomical gift was made in accordance with chapter 142C shall be released to an organ procurement organization as defined in section 142C.2, upon the request of such organ procurement organization, unless such disclosure would jeopardize an investigation or pose a clear and present danger to the public safety or the safety of an individual. [1]

(3) Autopsy reports shall be released to the decedent's immediate next of kin, upon the request of the decedent's immediate next of kin, unless disclosure to the decedent's immediate next of kin would jeopardize an investigation or pose a clear and present danger to the public safety or the safety of an individual.

c. Information regarding the cause and manner of death shall not be kept confidential under this subsection, unless disclosure would jeopardize an investigation or pose a clear and present danger to the public safety or the safety of an individual.

Sec. 2. Section 142C.7, Code 2015, is amended to read as follows:

142C.7 Confidential information.

A hospital, licensed or certified health care professional pursuant to chapter 148, 148C, or 152, or medical examiner ~~may~~ shall release patient information to a procurement organization as part of a referral or retrospective review of the patient as a potential donor, unless such disclosure would jeopardize an investigation or pose a clear and present danger to the public safety or the safety of an individual. Any information regarding a patient, including the patient's identity, however, constitutes confidential medical information and under any other circumstances is prohibited from disclosure without the written consent of the patient or the patient's legal representative.

Approved April 24, 2015

[1] See chapter 138, §12 herein