

REF...ED

FILED FEB 12 1997

SENATE FILE 128
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SSB 34)

Passed Senate, Date 2-18-97 ^(P.314) Passed House, Date 4-16-97 ^(P.1287)
Vote: Ayes 41 Nays 7 Vote: Ayes 79 Nays 18
Approved May 21, 1997

A BILL FOR

1 An Act relating to the statistical reporting of terminations of
2 pregnancy and establishing a penalty.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 128

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1A

1 Section 1. NEW SECTION. 144.29A TERMINATION OF PREGNANCY
2 REPORTING.

3 1. A health care provider who initially identifies and
4 diagnoses a spontaneous termination of pregnancy or who
5 induces a termination of pregnancy shall file with the
6 department a report for each termination within thirty days of
7 the occurrence. The report shall contain all of the following
8 information with respect to each termination:

- 9 a. The confidential health care provider code as assigned
10 by the department.
- 11 b. The type of health facility.
- 12 c. The report tracking number.
- 13 d. The state of residence and, if this state, the county
14 of residence of the patient.
- 15 e. The race of the patient.
- 16 f. The age of the patient.
- 17 g. The marital status of the patient.
- 18 h. The educational level of the patient.
- 19 i. The number of previous pregnancies, live births, and
20 spontaneous or induced termination of pregnancies.
- 21 j. The month and year in which the termination occurred.
- 22 k. The number of weeks since the patient's last menstrual
23 period and a clinical estimate of gestation.
- 24 l. Complications, if any.
- 25 m. The cause of spontaneous termination, if known.
- 26 n. The type of termination procedure, if the termination
27 is induced.

28 2. It is the intent of the general assembly that the
29 information shall be collected, reproduced, released, and
30 disclosed in a manner specified by rule of the department,
31 adopted pursuant to chapter 17A, which ensures the anonymity
32 of the patient who experiences a termination of pregnancy, the
33 health care provider who identifies and diagnoses or induces a
34 termination of pregnancy, and the hospital, clinic, or other
35 health facility in which a termination of pregnancy is

1 identified and diagnosed or induced. The department may share
2 information with federal public health officials and shall
3 publish, annually, a demographic summary of the information
4 obtained pursuant to this section, except that the department
5 shall not reproduce, release, or disclose any information
6 obtained pursuant to this section which reveals the identity
7 of any patient, health care provider, hospital, clinic, or
8 other health facility, and shall ensure anonymity in the
9 following ways:

10 a. The department may use information concerning the
11 report tracking number or concerning the identity of a
12 reporting health care provider, hospital, clinic, or other
13 health facility only for purposes of information collection.
14 The department shall not reproduce, release, or disclose this
15 information for any purpose other than for use in annually
16 publishing the demographic summary under this section.

17 b. The department shall enter the information, from any
18 report of termination submitted, within thirty days of receipt
19 of the report, and shall immediately destroy the report
20 following entry of the information. However, entry of the
21 information from a report shall not include any health care
22 provider, hospital, clinic, or other health facility
23 identification information including, but not limited to, the
24 confidential health care provider code, as assigned by the
25 department.

26 c. To protect confidentiality, the department shall limit
27 release of information to release in an aggregate form which
28 avoids identification of any individual patient, health care
29 provider, hospital, clinic, or other health facility. For the
30 purposes of this paragraph, "aggregate form" means a
31 compilation of the information received by the department on
32 termination of pregnancies for each information item listed,
33 with the exceptions of the report tracking number, the health
34 care provider code, and any set of information for which the
35 amount is so small that the confidentiality of any person to

1 whom the information relates may be compromised. The
2 department shall establish a methodology to provide a
3 statistically verifiable basis for any determination of the
4 correct amount at which information may be released so that
5 the confidentiality of any person is not compromised.

6 3. Except as specified in subsection 2, reports,
7 information, and records submitted and maintained pursuant to
8 this section are strictly confidential and shall not be
9 released or made public upon subpoena, search warrant,
10 discovery proceedings, or by any other means.

11 4. The department shall assign a code to any health care
12 provider who may be required to report a termination under
13 this section. An application procedure shall not be required
14 for assignment of a code to a health care provider.

15 5. A health care provider shall assign a report tracking
16 number which enables the health care provider to access the
17 patient's medical information without identifying the patient.

18 6. To ensure proper performance of the reporting
19 requirements under this section, it is preferred that a health
20 care provider who practices within a hospital, clinic, or
21 other health facility authorize one staff person to fulfill
22 the reporting requirements.

23 7. For the purposes of this section, "health care
24 provider" means an individual licensed under chapter 148,
25 148C, 148D, 150, 150A, or 152, or any individual who provides
26 medical services under the authorization of the licensee.

27 8. For the purposes of this section, "inducing a
28 termination of pregnancy" means the use of any means to
29 terminate the pregnancy of a woman known to be pregnant with
30 the intent other than to produce a live birth or to remove a
31 dead fetus.

32 Sec. 2. Section 144.52, Code 1997, is amended by adding
33 the following new subsection:

34 NEW SUBSECTION. 7. Violates a provision of section
35 144.29A.

1

EXPLANATION

2 This bill requires the reporting of both spontaneous and
3 induced terminations of pregnancy to the Iowa department of
4 public health within 30 days of the occurrence.

5 The bill lists the information to be included in a report
6 and requires the department to adopt rules which specify the
7 collection procedures to be used and which ensure anonymity of
8 all parties related to the report.

9 The bill authorizes the Iowa department of public health to
10 share information with federal public health officials, and
11 requires the department to annually publish a demographic
12 summary of the information obtained through the reports. The
13 bill also establishes the manner of use of the information in
14 order to ensure confidentiality of all parties related to the
15 report, and makes other provisions, including the following:
16 stating that it is the intent of the general assembly that the
17 information be collected, reproduced, released, and disclosed
18 in accordance with rules which ensure anonymity of the
19 patient, health care provider, hospital, clinic, or other
20 facility; providing that the information may be shared with
21 federal public health officials; providing that the department
22 is to use identifying information solely for the purposes of
23 information collection and verification of the information;
24 requiring the entry of the information from the reports to be
25 performed within 30 days of the receipt of the report and that
26 the information then be immediately destroyed; prohibiting
27 entry of any health care provider, hospital, clinic, or other
28 health facility identification information including, but not
29 limited to, the health care provider code, assigned by the
30 department; providing for release of the information only in
31 the aggregate form as defined in the bill; requiring the
32 department to establish a methodology to provide a
33 statistically verifiable basis for any determination of the
34 correct amount at which information may be released so as not
35 to compromise the confidentiality of any person; providing

1 that except as otherwise specified in the bill, reports,
2 information, and records submitted and maintained under the
3 bill are confidential and are not to be released or made
4 public upon subpoena, search warrant, discovery proceedings,
5 or by any other means; providing for the assignment of a
6 health care provider code without requiring an application
7 process; providing that a health care provider assign a report
8 tracking number to the report submitted which does not
9 identify the patient; providing that it is preferred that a
10 health care provider who practices within a hospital, clinic,
11 or other health facility authorize one staff person to fulfill
12 the reporting requirements; and defining "health care
13 provider" for the purposes of the bill.

14 The bill establishes a penalty of a serious misdemeanor for
15 violation of reporting requirements of the bill.

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HOUSE AMENDMENT TO
SENATE FILE 128

S-3553

1 Amend Senate File 128 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 7 and 8 and
4 inserting the following: "the occurrence. The health
5 care provider shall make a good faith effort to obtain
6 all of the following information that is available
7 with respect to each".

8 2. Page 1, by striking lines 10 through 28 and
9 inserting the following:

10 "a. The confidential health care provider code as
11 assigned by the department.

12 b. The report tracking number.

13 c. The maternal health services region of the Iowa
14 department of public health, as designated as of July
15 1, 1997, in which the patient resides.

16 d. The race of the patient.

17 e. The age of the patient.

18 f. The marital status of the patient.

19 g. The educational level of the patient.

20 h. The number of previous pregnancies, live
21 births, and spontaneous or induced termination of
22 pregnancies.

23 i. The month and year in which the termination
24 occurred.

25 j. The number of weeks since the patient's last
26 menstrual period and a clinical estimate of
27 gestation."

28 3. Page 3, line 2, by striking the word "avoids"
29 and inserting the following: "prevents".

30 4. Page 4, by inserting after line 5 the
31 following:

32 "____. For the purposes of this section,
33 "spontaneous termination of pregnancy" means the
34 occurrence of an unintended termination of pregnancy
35 at any time during the period from conception to
36 twenty weeks gestation and which is not a spontaneous
37 termination of pregnancy at any time during the period
38 from twenty weeks or greater which is reported to the
39 department as a fetal death under this chapter."

40 5. Page 4, line 8, by striking the word
41 "Violates" and inserting the following: "Knowingly
42 violates".

43 6. By renumbering, relettering, or redesignating
44 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-3553 FILED APRIL 16, 1997

Senate concurred 4/23/97 (p. 1377)

SENATE FILE 128

S-3688

- 1 Amend the House amendment, S-3553, to Senate File
2 128 as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 1, by inserting after line 2 the
5 following:
6 "_____. Page 1, line 1, by inserting after the word
7 "PREGNANCY" the following: "AND VASECTOMIES".
8 _____. Page 1, line 5, by inserting after the word
9 "pregnancy" the following: "or who performs a
10 vasectomy".
11 _____. Page 1, line 6, by inserting after the word
12 "termination" the following: "or vasectomy".
13 2. Page 1, by inserting after line 7 the
14 following:
15 "_____. Page 1, line 9, by inserting after the word
16 "termination" the following: "or vasectomy, as
17 applicable".
18 3. Page 1, line 20, by inserting after the word
19 "pregnancies" the following: "or the number of
20 previous vasectomies".
21 4. Page 1, line 23, by inserting after the word
22 "termination" the following: "or vasectomy".
23 5. Page 1, by inserting after line 27 the
24 following:
25 "_____. Page 1, line 33, by inserting after the
26 word "pregnancy" the following: "or vasectomy".
27 _____. Page 1, line 35, by inserting after the word
28 "pregnancy" the following: "or who performs a
29 vasectomy".
30 _____. Page 2, line 2, by inserting after the word
31 "induced" the following: "or in which a vasectomy is
32 performed".
33 _____. Page 2, line 27, by inserting after the word
34 "termination" the following: "or vasectomy".
35 6. Page 1, by inserting after line 29 the
36 following:
37 "_____. Page 3, line 6, by inserting after the word
38 "pregnancies" the following: "or vasectomies".
39 _____. Page 3, line 21, by inserting after the word
40 "termination" the following: "or vasectomy".
41 7. Page 1, by inserting after line 42 the
42 following:
43 "_____. Title page, line 2, by inserting after the
44 word "pregnancy" the following: "and vasectomies".
45 8. By renumbering as necessary.

By ROBERT E. DVORSKY

S-3688 FILED APRIL 22, 1997

w/d (p. 1326)

SENATE FILE 128

S-3680

1 Amend the House amendment, S-3553, to Senate File
2 128, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 1, by striking lines 8 through 27 and
5 inserting the following:
6 "____. Page 1, by striking line 12."
7 2. Page 1, by inserting after line 29 the
8 following:
9 "____. Page 3, line 14, by inserting after the
10 word "compromised." the following: "Aggregate form"
11 also means that any compilation of the information
12 shall not be based on an area which is smaller than a
13 maternal health services region of the Iowa department
14 of public health."
15 3. By renumbering as necessary.

By MERLIN E. BARTZ

S-3680 FILED APRIL 22, 1997 *w/d 4/23/97 (p. 1376)*

SENATE FILE 128

S-3683

1 Amend the House amendment, S-3553, to Senate File
2 128, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 1, by striking lines 16 through 27.
5 2. By renumbering as necessary.

By PATRICIA HARPER

S-3683 FILED APRIL 22, 1997 *w/d 4/23/97 (p. 1376)*

SENATE FILE 128

S-3687

1 Amend the House amendment, S-3553, to Senate File
2 128 as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 1, by inserting after line 7 the
5 following:
6 "____. Page 1, by inserting after line 9 the
7 following:
8 "____. The age of the male person responsible for
9 the pregnancy."
10

By JOHNIE HAMMOND

S-3687 FILED APRIL 22, 1997
w/d 4/23/97 (p. 1376)

S-3703

1 Amend the House amendment, S-3553, to Senate File
 2 128, as amended, passed, and reprinted by the Senate,
 3 as follows:
 4 1. Page 1, by inserting after line 27 the
 5 following:
 6 "_____. Page 1, by inserting before line 29 the
 7 following:
 8 "1A. In addition to the reporting requirements of
 9 subsection 1, a woman who experiences a spontaneous
 10 termination of pregnancy who is not under the care of
 11 a health care provider at the time that the
 12 spontaneous termination occurs, shall report the
 13 spontaneous termination to the department within
 14 thirty days of the occurrence.""

By TOM VILSACK

S-3703 FILED APRIL 23, 1997
 WITHDRAWN (p. 1377)

SENATE FILE 128

S-3673

1 Amend the House amendment, S-3553, to Senate File
 2 128, as amended, passed, and reprinted by the Senate,
 3 as follows:
 4 1. Page 1, by striking lines 8 through 27.
 5 2. Page 1, by inserting after line 29 the
 6 following:
 7 "_____. Page 3, line 14, by inserting after the
 8 word "compromised." the following: ""Aggregate form"
 9 also means that any compilation of the information
 10 shall not be based on an area which is smaller than a
 11 region of the department of human services.""
 12 3. By renumbering as necessary.

By MERLIN E. BARTZ

S-3673 FILED APRIL 22, 1997
 WITHDRAWN (p. 1326)

SENATE FILE 128

S-3674

1 Amend the House amendment, S-3553, to Senate File
 2 128, as amended, passed, and reprinted by the Senate,
 3 as follows:
 4 1. Page 1, by striking lines 8 through 27.
 5 2. Page 1, by inserting after line 29 the
 6 following:
 7 "_____. Page 3, line 14, by inserting after the
 8 word "compromised." the following: ""Aggregate form"
 9 also means that any compilation of the information
 10 shall not be based on an area which is smaller than a
 11 maternal health services region of the Iowa department
 12 of public health.""
 13 3. By renumbering as necessary.

By MERLIN E. BARTZ

S-3674 FILED APRIL 22, 1997
 LOST (p. 1328) MTR: Bartz & Barlang (p. 1346), MTR: wld (p. 1376)



**SENATE FILE 128
FISCAL NOTE**

The estimate for Senate File 128 is hereby submitted as a fiscal note pursuant to Joint Rule 17 and as a correctional impact statement pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 128 requires the reporting of terminations of pregnancy to the Department of Public Health, specifies information to be included in the report, requires rules to insure anonymity, directs the Department to publish demographic summaries, and provides a penalty.

ASSUMPTIONS

1. Reporting facilities will generate 20,000-25,000 recordable events per year.
2. Software development costs will be incurred during the first year of collection and analysis of data. Annual maintenance costs will be incurred in subsequent years.
3. Salary and support would be needed to capture reports, print forms, and print envelopes for return of reports.
4. Information generated by the reporting may be published with Vital Statistics and Annual Reports at minimal cost to the Department.

FISCAL EFFECTS

The estimated fiscal effect of SF 128 is as follows:

	FY 1998	FY 1999
Salaries	\$ 24,988	\$ 24,988
Software	25,000	2,700
Support	8,019	5,250
TOTAL COST	\$ 58,007	\$ 32,938

CORRECTIONAL IMPACT

No significant correctional impact would be expected to result from SF 128.

SOURCES

Department of Public Health
Department of Human Rights, Criminal and Juvenile Justice Planning Division
(LSB 1490SV, VMT)

-2-

FILED FEBRUARY 17, 1997

BY DENNIS PROUTY, FISCAL DIRECTOR

SENATE FILE 128

S-3049

1 Amend Senate File 128 as follows:

A

2 1. Page 1, line 8, by inserting after the word
3 "information" the following: "that is available".

4 2. Page 1, line 14, by inserting after the word
5 "patient" the following: "and of the male partner
6 responsible for the pregnancy".

7 3. Page 1, line 15, by inserting after the word
8 "patient" the following: "and of the male partner
9 responsible for the pregnancy".

10 4. Page 1, line 16, by inserting after the word
11 "patient" the following: "and of the male partner
12 responsible for the pregnancy".

B

13 5. Page 1, line 17, by inserting after the word
14 "patient" the following: "and of the male partner
15 responsible for the pregnancy".

16 6. Page 1, line 18, by inserting after the word
17 "patient" the following: "and of the male partner
18 responsible for the pregnancy".

A. adopted 4-18-97 (P. 313) By JOHNIE HAMMOND

B. Lost 4-18-97 (P. 313) BILL FINK

S-3049 FILED FEBRUARY 17, 1997

SENATE FILE 128

S-3051

1 Amend Senate File 128 as follows:

2 1. Page 2, by striking lines 2 and 3 and
3 inserting the following: "information with federal
4 public health officials for the purposes of securing
5 federal funding or conducting public health research.
6 However, in sharing the information, the department
7 shall not relinquish control of the information, and
8 any agreement entered into by the department with
9 federal public health officials to share information
10 shall prohibit the use, reproduction, release, or
11 disclosure of the information by federal public health
12 officials in a manner which violates this section.
13 The department shall publish, annually, a demographic
14 summary of the information".

By MERLIN E. BARTZ

S-3051 FILED FEBRUARY 18, 1997

ADOPTED 2-18-97

(P. 313)

1 Section 1. NEW SECTION. 144.29A TERMINATION OF PREGNANCY
2 REPORTING.

3 1. A health care provider who initially identifies and
4 diagnoses a spontaneous termination of pregnancy or who
5 induces a termination of pregnancy shall file with the
6 department a report for each termination within thirty days of
7 the occurrence. The report shall contain all of the following
8 information that is available with respect to each
9 termination:

- 10 a. The confidential health care provider code as assigned
11 by the department.
- 12 b. The type of health facility.
- 13 c. The report tracking number.
- 14 d. The state of residence and, if this state, the county
15 of residence of the patient.
- 16 e. The race of the patient.
- 17 f. The age of the patient.
- 18 g. The marital status of the patient.
- 19 h. The educational level of the patient.
- 20 i. The number of previous pregnancies, live births, and
21 spontaneous or induced termination of pregnancies.
- 22 j. The month and year in which the termination occurred.
- 23 k. The number of weeks since the patient's last menstrual
24 period and a clinical estimate of gestation.
- 25 l. Complications, if any.
- 26 m. The cause of spontaneous termination, if known.
- 27 n. The type of termination procedure, if the termination
28 is induced.

29 2. It is the intent of the general assembly that the
30 information shall be collected, reproduced, released, and
31 disclosed in a manner specified by rule of the department,
32 adopted pursuant to chapter 17A, which ensures the anonymity
33 of the patient who experiences a termination of pregnancy, the
34 health care provider who identifies and diagnoses or induces a
35 termination of pregnancy, and the hospital, clinic, or other

1 health facility in which a termination of pregnancy is
2 identified and diagnosed or induced. The department may share
3 information with federal public health officials for the
4 purposes of securing federal funding or conducting public
5 health research. However, in sharing the information, the
6 department shall not relinquish control of the information,
7 and any agreement entered into by the department with federal
8 public health officials to share information shall prohibit
9 the use, reproduction, release, or disclosure of the
10 information by federal public health officials in a manner
11 which violates this section. The department shall publish,
12 annually, a demographic summary of the information obtained
13 pursuant to this section, except that the department shall not
14 reproduce, release, or disclose any information obtained
15 pursuant to this section which reveals the identity of any
16 patient, health care provider, hospital, clinic, or other
17 health facility, and shall ensure anonymity in the following
18 ways:

19 a. The department may use information concerning the
20 report tracking number or concerning the identity of a
21 reporting health care provider, hospital, clinic, or other
22 health facility only for purposes of information collection.
23 The department shall not reproduce, release, or disclose this
24 information for any purpose other than for use in annually
25 publishing the demographic summary under this section.

26 b. The department shall enter the information, from any
27 report of termination submitted, within thirty days of receipt
28 of the report, and shall immediately destroy the report
29 following entry of the information. However, entry of the
30 information from a report shall not include any health care
31 provider, hospital, clinic, or other health facility
32 identification information including, but not limited to, the
33 confidential health care provider code, as assigned by the
34 department.

35 c. To protect confidentiality, the department shall limit

1 release of information to release in an aggregate form which
2 avoids identification of any individual patient, health care
3 provider, hospital, clinic, or other health facility. For the
4 purposes of this paragraph, "aggregate form" means a
5 compilation of the information received by the department on
6 termination of pregnancies for each information item listed,
7 with the exceptions of the report tracking number, the health
8 care provider code, and any set of information for which the
9 amount is so small that the confidentiality of any person to
10 whom the information relates may be compromised. The
11 department shall establish a methodology to provide a
12 statistically verifiable basis for any determination of the
13 correct amount at which information may be released so that
14 the confidentiality of any person is not compromised.

15 3. Except as specified in subsection 2, reports,
16 information, and records submitted and maintained pursuant to
17 this section are strictly confidential and shall not be
18 released or made public upon subpoena, search warrant,
19 discovery proceedings, or by any other means.

20 4. The department shall assign a code to any health care
21 provider who may be required to report a termination under
22 this section. An application procedure shall not be required
23 for assignment of a code to a health care provider.

24 5. A health care provider shall assign a report tracking
25 number which enables the health care provider to access the
26 patient's medical information without identifying the patient.

27 6. To ensure proper performance of the reporting
28 requirements under this section, it is preferred that a health
29 care provider who practices within a hospital, clinic, or
30 other health facility authorize one staff person to fulfill
31 the reporting requirements.

32 7. For the purposes of this section, "health care
33 provider" means an individual licensed under chapter 148,
34 148C, 148D, 150, 150A, or 152, or any individual who provides
35 medical services under the authorization of the licensee.

1 8. For the purposes of this section, "inducing a
2 termination of pregnancy" means the use of any means to
3 terminate the pregnancy of a woman known to be pregnant with
4 the intent other than to produce a live birth or to remove a
5 dead fetus.

6 Sec. 2. Section 144.52, Code 1997, is amended by adding
7 the following new subsection:

8 NEW SUBSECTION. 7. Violates a provision of section
9 144.29A.

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SENATE FILE 128

H-1066

- 1 Amend Senate File 128 as amended, passed, and
2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 1, by inserting after the word
4 "PREGNANCY" the following: "AND VASECTOMIES".
5 2. Page 1, line 5, by inserting after the word
6 "pregnancy" the following: "or who performs a
7 vasectomy".
8 3. Page 1, line 6, by inserting after the word
9 "termination" the following: "or vasectomy".
10 4. Page 1, line 9, by inserting after the word
11 "termination" the following: "or vasectomy, as
12 applicable".
13 5. Page 1, line 21, by inserting after the word
14 "pregnancies" the following: "or the number of
15 previous vasectomies".
16 6. Page 1, line 22, by inserting after the word
17 "termination" the following: "or vasectomy".
18 7. Page 1, line 33, by inserting after the word
19 "pregnancy" the following: "or vasectomy".
20 8. Page 1, line 35, by inserting after the word
21 "pregnancy" the following: "or who performs a
22 vasectomy".
23 9. Page 2, line 2, by inserting after the word
24 "induced" the following: "or in which a vasectomy is
25 performed".
26 10. Page 2, line 27, by inserting after the word
27 "termination" the following: "or vasectomy".
28 11. Page 3, line 6, by inserting after the word
29 "pregnancies" the following: "or vasectomies".
30 12. Page 3, line 21, by inserting after the word
31 "termination" the following: "or vasectomy".
32 13. Title page, line 2, by inserting after the
33 word "pregnancy" the following: "and vasectomies".
By CONNORS of Polk

H-1066 FILED FEBRUARY 19, 1997

O/Order
4-16-97 (P. 1286)

SENATE FILE 128

H-1067

- 1 Amend Senate File 128, as amended, passed, and
2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking line 16.
4 2. By renumbering as necessary.

By HUSER of Polk

H-1067 FILED FEBRUARY 19, 1997

O/Order
4-16-97
(P. 1286)

SENATE FILE 128

H-1064

- 1 Amend Senate File 128 as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 15, by inserting after the word
 4 "patient" the following: "and of the male partner
 5 responsible for the pregnancy".
 6 2. Page 1, line 16, by inserting after the word
 7 "patient" the following: "and of the male partner
 8 responsible for the pregnancy".
 9 3. Page 1, line 17, by inserting after the word
 10 "patient" the following: "and of the male partner
 11 responsible for the pregnancy".
 12 4. Page 1, line 18, by inserting after the word
 13 "patient" the following: "and of the male partner
 14 responsible for the pregnancy".
 15 5. Page 1, line 19, by inserting after the word
 16 "patient" the following: "and of the male partner
 17 responsible for the pregnancy".

By FALLON of Polk

H-1064 FILED FEBRUARY 19, 1997

O/Order 4/16/97 (p. 1286)

SENATE FILE 128

H-1065

- 1 Amend Senate File 128 as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by inserting after line 28 the
 4 following:
 5 "o. The religious affiliation of the patient and
 6 of the male partner responsible for the pregnancy."

By FALLON of Polk

H-1065 FILED FEBRUARY 19, 1997

Withdrawn 4-16-97 (R1284)

SENATE FILE 128

H-1063

- 1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by striking line 19.

By BUKTA of Clinton

H-1063 FILED FEBRUARY 19, 1997

O/Order 4/16/97 (p. 1286)

SENATE FILE 128

H-1069

- 1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 3, line 9, by inserting after the word
 4 "small" the following: ", with fifty or fewer
 5 incidences always being considered too small,".

By MASCHER of Johnson

H-1069 FILED FEBRUARY 20, 1997

Rest 4-16-97 (p. 1284)

SENATE FILE 128

H-1116

1 Amend Senate File 128, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting
4 clause and inserting the following:
5 "Section 1. NEW SECTION. 144.29A MEDICAL
6 PROCEDURES IN A CLINIC -- REPORTING.
7 1. A health care provider who initially performs
8 medical procedures on a patient in a medical clinic
9 shall file with the department a report for each
10 medical procedure within thirty days of the
11 occurrence. The report shall contain all of the
12 following information with respect to each medical
13 procedure:
14 a. The confidential health care provider code as
15 assigned by the department.
16 b. The report tracking number.
17 c. The state of residence and, if this state, the
18 county of residence of the patient.
19 d. The race of the patient.
20 e. The age of the patient.
21 f. The marital status of the patient.
22 g. The educational level of the patient.
23 h. The number of previous medical procedures
24 performed on the patient.
25 i. The month and year in which the medical
26 procedure occurred.
27 j. Complications, if any.
28 k. The cause of the need for the medical
29 procedure, if known.
30 1. The type of medical procedure.
31 2. It is the intent of the general assembly that
32 the information shall be collected, reproduced,
33 released, and disclosed in a manner specified by rule
34 of the department, pursuant to chapter 17A, which
35 ensures the anonymity of the patient who experiences a
36 medical procedure, the health care provider who
37 performs the medical procedure, and the clinic in
38 which the medical procedure is performed. The
39 department may share information with federal public
40 health officials for the purposes of securing federal
41 funding or conducting public health research.
42 However, in sharing the information, the department
43 shall not relinquish control of the information, and
44 any agreement entered into by the department with
45 federal public health officials to share information
46 shall prohibit the use, reproduction, release, or
47 disclosure of the information by federal public health
48 officials in a manner which violates this section.
49 The department shall publish, annually, a demographic
50 summary of the information obtained pursuant to this

H-1116

-1-

H-1116

Page 2

1 section, except that the department shall not
2 reproduce, release, or disclose any information
3 obtained pursuant to this section which reveals the
4 identity of any patient, health care provider, or
5 clinic, and shall ensure anonymity in the following
6 ways:

7 a. The department shall use a report tracking
8 number, a confidential health care provider code, and
9 the identity of a clinic for the sole purpose of
10 information collection and verification prior to entry
11 of the information. Following collection and
12 verification of the information, the department shall
13 use, reproduce, release, and disclose any information
14 collected only for the purpose of annually publishing
15 the demographic summary.

16 b. The department shall enter the information,
17 from any report submitted, within thirty days of
18 receipt of the report, and shall immediately destroy
19 the report following entry of the information.
20 However, entry of the information from a report shall
21 not include any health care provider or clinic
22 identification information including, but not limited
23 to, the confidential health care provider code, as
24 assigned by the department.

25 c. To protect confidentiality, the department
26 shall limit release of information to release in an
27 aggregate form which avoids identification of any
28 individual patient, health care provider, or clinic.
29 For the purposes of this paragraph, "aggregate form"
30 means a compilation of the information received by the
31 department of medical procedures for each information
32 item listed, with the exceptions of the report
33 tracking number, the health care provider code, and
34 any set of information for which the amount is so
35 small that confidentiality of any person to whom the
36 information relates may be compromised.

37 3. Except as specified in subsection 2, reports,
38 information, and records submitted and maintained
39 pursuant to this section are strictly confidential and
40 shall not be released or made public upon subpoena,
41 search warrant, discovery proceedings, or by any other
42 means.

43 4. The department shall assign a code to any
44 health care provider who may be required to report a
45 medical procedure under this section. An application
46 procedure shall not be required for assignment of a
47 code to a health care provider.

48 5. A health care provider shall assign a report
49 tracking number which enables the health care provider
50 to access the patient's medical information without

H-1116

-2-

H-1116

Page 3

- 1 identifying the patient.
- 2 6. To ensure proper performance of the reporting
- 3 requirements under this section, it is preferred that
- 4 a health care provider authorize one staff person to
- 5 fulfill the reporting requirements.
- 6 7. For the purposes of this section, "health care
- 7 provider" means an individual licensed under chapter
- 8 148, 148C, 148D, 150, 150A, or 152, or any individual
- 9 who provides medical services under the authorization
- 10 of the licensee.
- 11 Sec. 2. Section 144.52, Code 1997, is amended by
- 12 adding the following new subsection:
- 13 NEW SUBSECTION. 7. Knowingly violates a provision
- 14 of section 144.29A."
- 15 2. Title page, lines 1 and 2, by striking the
- 16 words: "terminations of pregnancy" and inserting the
- 17 following: "medical procedures performed in a medical
- 18 clinic".

By GRUNDBERG of Polk

H-1116 FILED FEBRUARY 25, 1997

Withdrawn
4-16-97 (P. 1286)

SENATE FILE 128

H-1117

- 1 Amend Senate File 128, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking line 12.
- 4 2. Page 1, by striking lines 14 through 16 and
- 5 inserting the following:
- 6 "d. The region of the department of human services
- 7 in which the patient resides."
- 8 3. Page 1, by striking line 19.
- 9 4. Page 1, by striking lines 25 through 28.
- 10 5. By relettering as necessary.

By GRUNDBERG of Polk

BURNETT of Story

CONNORS of Polk

METCALF of Polk

MASCHER of Johnson

BRAND of Tama

JACOBS of Polk

DODERER of Johnson

NELSON of Marshall

MARTIN of Scott

JOCHUM of Dubuque

H-1117 FILED FEBRUARY 25, 1997

Order
4-16-97
(P. 1286)

SENATE FILE 128

H-1115

1 Amend Senate File 128, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 4, by inserting after line 9 the
4 following:

5 "Sec. ____ . CONTINGENT EFFECTIVE DATE. This Act
6 shall not take effect unless an appropriation is
7 enacted or the state's share of the cost is specified
8 in accordance with section 25B.2, subsection 3."

9 2. Title page, by striking line 2 and inserting
10 the following: "pregnancy, establishing a penalty,
11 and providing a contingent effective date."

12 3. By renumbering as necessary.

By DODERER of Johnson
METCALF of Polk

H-1115 FILED FEBRUARY 25, 1997

Withdrawn 4-16-97 (P.1285)

SENATE FILE 128

H-1114

1 Amend Senate File 128, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, lines 3 and 4, by striking the words
4 "identifies and diagnoses a spontaneous termination of
5 pregnancy or who".

6 2. Page 1, line 21, by striking the words
7 "spontaneous or".

8 3. Page 1, by striking line 26.

9 4. Page 1, line 34, by striking the words
10 "identifies and diagnoses or".

11 5. Page 2, line 2, by striking the words

12 "identified and diagnosed or".

13 6. By relettering as necessary.

By DODERER of Johnson
METCALF of Polk

H-1114 FILED FEBRUARY 25, 1997

*o/ order
4/16/97
(P.1286)*

SENATE FILE 128

H-1715

- 1 Amend Senate File 128, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, by inserting after line 5 the
- 4 following:
- 5 "____. For the purposes of this section,
- 6 "spontaneous termination of pregnancy" means the
- 7 occurrence of an unintended termination of pregnancy
- 8 at any time during the period from conception to
- 9 twenty weeks gestation and which is not a spontaneous
- 10 termination of pregnancy at any time during the period
- 11 from twenty weeks or greater which is reported to the
- 12 department as a fetal death under this chapter."
- 13 2. By renumbering as necessary.

By DODERER of Johnson
 JACOBS of Polk
 GRUNDBERG of Polk

H-1715 FILED APRIL 15, 1997

Adapted 4-16-97 (P. 1285)

SENATE FILE 128

H-1731

- 1 Amend Senate File 128, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking line 12.
- 4 2. Page 1, by striking lines 14 and 15 and
- 5 inserting the following:
- 6 "____. The region of the department of human
- 7 services in which the patient resides."
- 8 3. Page 1, by striking line 19.
- 9 4. Page 1, by striking lines 25 through 28.
- 10 5. By relettering as necessary.

By GRUNDBERG of Polk	DODERER of Johnson
BURNETT of Story	NELSON of Marshall
METCALF of Polk	MARTIN of Scott
MASCHER of Johnson	JOCHUM of Dubuque
BRAND of Tama	FORD of Polk
JACOBS of Polk	

H-1731 FILED APRIL 15, 1997

O/orden
4/16/97
(P. 1286)

H-1171

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by striking lines 10 through 28 and
 4 inserting the following:
 5 "a. The confidential health care provider code as
 6 assigned by the department.
 7 b. The report tracking number.
 8 c. The department of human services' region in
 9 which the patient resides.
 10 d. The age of the patient.
 11 e. The marital status of the patient.
 12 f. The number of previous pregnancies, live
 13 births, and spontaneous or induced termination of
 14 pregnancies.
 15 g. The month and year in which the termination
 16 occurred.
 17 h. The number of weeks since the patient's last
 18 menstrual period and a clinical estimate of
 19 gestation."

By GRUNDBERG of Polk
 BURNETT of Story
 CONNORS of Polk
 METCALF of Polk
 MASCHER of Johnson
 BRAND of Tama

JACOBS of Polk
 DODERER of Johnson
 NELSON of Marshall
 MARTIN of Scott
 JOCHUM of Dubuque

H-1171 FILED MARCH 13, 1997

O/Order
4-16-97
(p.1286)

SENATE FILE 128

H-1076

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 3, line 14, by inserting after the word
 4 "compromised." the following: "'Aggregate form" also
 5 means that any compilation of the information shall
 6 not be based on an area which is smaller than a region
 7 of the department of human services."

By BRAND of Tama

H-1076 FILED FEBRUARY 21, 1997

lost 4-16-97 (p.1284)

SENATE FILE 128

H-1077

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 3, by inserting after line 14 the
 4 following:
 5 "d. The department shall not reproduce, release,
 6 or disclose information in a manner which categorizes
 7 the information by county or is in any manner county-
 8 specific."

By BRAND of Tama

H-1077 FILED FEBRUARY 21, 1997

withdrawn 4-16-97 p.1287

SENATE FILE 128

H-1761

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by striking lines 10 through 28 and
 4 inserting the following:
 5 "a. The confidential health care provider code as
 6 assigned by the department.
 7 b. The report tracking number.
 8 c. The maternal health services region of the Iowa
 9 department of public health, as designated as of July
 10 1, 1997, in which the patient resides.
 11 d. The race of the patient.
 12 e. The age of the patient.
 13 f. The marital status of the patient.
 14 g. The educational level of the patient.
 15 h. The number of previous pregnancies, live
 16 births, and spontaneous or induced termination of
 17 pregnancies.
 18 i. The month and year in which the termination
 19 occurred.
 20 j. The number of weeks since the patient's last
 21 menstrual period and a clinical estimate of
 22 gestation."

By GRUNDBERG of Polk
 BURNETT of Story
 METCALF of Polk
 MASCHER of Johnson
 BRAND of Tama
 JACOBS of Polk

DODERER of Johnson
 NELSON of Marshall
 MARTIN of Scott
 JOCHUM of Dubuque
 FORD of Polk

H-1761 FILED APRIL 16, 1997

ADOPTED

P. 1286

SENATE FILE 128

H-1762

1 Amend the amendment, H-1761, to Senate File 128, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by inserting after line 22 the
 5 following:
 6 "____. Complications, if any.
 7 _____. The cause of spontaneous termination, if
 8 known.
 9 _____. The type of termination procedure, if the
 10 termination is induced."

By CARROLL of Poweshiek

H-1762 FILED APRIL 16, 1997

LOST

(P. 1286)

SENATE FILE 128

H-1740

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by striking lines 10 through 28 and
 4 inserting the following:
 5 "a. The confidential health care provider code as
 6 assigned by the department.
 7 b. The report tracking number.
 8 c. The region of the department of human services
 9 in which the patient resides.
 10 d. The race of the patient.
 11 e. The age of the patient.
 12 f. The marital status of the patient.
 13 g. The number of previous pregnancies, live
 14 births, and spontaneous or induced termination of
 15 pregnancies.
 16 h. The month and year in which the termination
 17 occurred.
 18 i. The number of weeks since the patient's last
 19 menstrual period and a clinical estimate of
 20 gestation."

By GRUNDBERG of Polk	DODERER of Johnson
BURNETT of Story	NELSON of Marshall
METCALF of Polk	MARTIN of Scott
MASCHER of Johnson	JOCHUM of Dubuque
BRAND of Tama	FORD of Polk
JACOBS of Polk	

H-1740 FILED APRIL 15, 1997

lost 4-16-97 (p.1283)

SENATE FILE 128

H-1755

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by striking lines 10 through 28 and
 4 inserting the following:
 5 "a. The region of the department of human services
 6 in which the patient resides.
 7 b. The race of the patient."

By FORD of Polk

H-1755 FILED APRIL 15, 1997

Withdrawn 4.16-97 (p.1283)

SENATE FILE 128

H-1758

1 Amend Senate File 128, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by striking lines 14 and 15 and
 4 inserting the following:
 5 "d. The region of the department of human services
 6 in which the patient resides."

By FORD of Polk

H-1758 FILED APRIL 16, 1997

OUT OF ORDER

(p. 1286)

Bartz, chair

Boettger

Vilsack

SSB 34

Human Resources

Succeeded By

SENATE/HOUSE SP/HE 128
BY (PROPOSED GOVERNOR'S BILL)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the statistical reporting of terminations of
2 pregnancy and establishing penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1.2 NEW SECTION. 144.29A TERMINATION OF PREGNANCY
2 REPORTING.

3 1. A health care provider who identifies a spontaneous
4 termination of pregnancy or who induces a termination of
5 pregnancy shall file with the department a report for each
6 termination within thirty days of the occurrence. The report
7 shall contain all of the following information with respect to
8 each termination:

9 a. The confidential health care provider code as assigned
10 by the department.

11 b. The health facility.

12 c. The patient number.

13 d. The state of residence and, if this state, the county
14 of residence of the patient.

15 e. The race of the patient.

16 f. The age of the patient.

17 g. The marital status of the patient.

18 h. The educational level of the patient.

19 i. The number of previous pregnancies, live births, and
20 spontaneous or induced termination of pregnancies.

21 j. The month and year in which the termination occurred.

22 k. The number of weeks since the patient's last menstrual
23 period.

24 l. Complications, if any.

25 m. The cause of spontaneous termination, if known.

26 n. The type of termination procedure, if the termination
27 is induced.

28 2. The information shall be collected in a manner
29 specified by rule of the department, pursuant to chapter 17A,
30 and which ensures the anonymity of the patient who experiences
31 a termination of pregnancy, the health care provider who
32 identifies or induces a termination of pregnancy, and the
33 hospital, clinic, or other health facility in which a termina-
34 tion of pregnancy is identified or induced. The department
35 may share information with national public health officials

1 and shall publish, annually, demographic summaries of the
2 information obtained pursuant to this section, except that the
3 department shall not disclose any information obtained
4 pursuant to this section which reveals the identity of any
5 patient, health care provider, or hospital, clinic, or other
6 health facility, and shall ensure anonymity in the following
7 ways:

8 a. The department may use information concerning the
9 patient number or concerning the identity of a specific
10 reporting hospital, clinic, or other health facility only for
11 purposes of data collection. The department shall not
12 reproduce this information for any purpose, and shall not
13 extrapolate this information for any purposes other than for
14 use in annually publishing the demographic summary under this
15 section.

16 b. The department shall enter the data from any report of
17 termination submitted within thirty days of receipt of the
18 report, and shall immediately destroy the report following
19 entry of the data. However, entry of the data from a report
20 shall not include any health care provider identification
21 information including, but not limited to, the confidential
22 health care provider code contained in the report.

23 c. To protect confidentiality, the department shall limit
24 release of data to release in an aggregate form which avoids
25 identification of any individual patient, health care
26 provider, hospital, clinic, or other health facility.

27 3. Except as specified in subsection 2, reports,
28 information, and records submitted and maintained pursuant to
29 this section are strictly confidential and shall not be
30 released or made public upon subpoena, search warrant,
31 discovery proceedings, or by any other means.

32 4. For the purposes of this section, "health care
33 provider" means a person providing health care services of any
34 kind.

35 Sec. 2. Section 144.52, Code 1997, is amended by adding

1 the following new subsection:

2 NEW SUBSECTION. 7. Violates a provision of section
3 144.29A.

4 EXPLANATION

5 This bill requires the reporting of both spontaneous and
6 induced terminations of pregnancy to the Iowa department of
7 public health within 30 days of the occurrence.

8 The bill lists the information to be included in a report
9 and requires the department to adopt rules which specify the
10 collection procedures to be used and which ensure anonymity of
11 all parties related to the report.

12 The bill authorizes the Iowa department of public health to
13 share information with national public health officials, and
14 requires the department to annually publish demographic
15 summaries of the information obtained through the reports.

16 The bill also establishes the manner of use of the information
17 in order to ensure confidentiality of all parties related to
18 the report, including the following: limiting the use of the
19 data collected to the annual publishing of the demographic
20 summary; requiring that entry of data from reports be
21 performed within 30 days of the receipt of a report and that
22 the data then be immediately destroyed; prohibiting data
23 entered from including any health care provider identification
24 information; and protecting confidentiality by limiting the
25 release of data to release in an aggregate form. The bill
26 also provides that except as otherwise specified in the bill,
27 reports, information, and records submitted and maintained
28 under the bill are confidential and are not to be released or
29 made public upon subpoena, search warrant, discovery
30 proceedings, or by any other means.

31 The bill establishes a penalty of a serious misdemeanor for
32 violation of reporting requirements of the bill.

33

34

35

SENATE FILE 128

AN ACT

RELATING TO THE STATISTICAL REPORTING OF TERMINATIONS OF PREGNANCY AND ESTABLISHING A PENALTY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 144.29A TERMINATION OF PREGNANCY REPORTING.

1. A health care provider who initially identifies and diagnoses a spontaneous termination of pregnancy or who induces a termination of pregnancy shall file with the department a report for each termination within thirty days of the occurrence. The health care provider shall make a good faith effort to obtain all of the following information that is available with respect to each termination:

- a. The confidential health care provider code as assigned by the department.
 - b. The report tracking number.
 - c. The maternal health services region of the Iowa department of public health, as designated as of July 1, 1997, in which the patient resides.
 - d. The race of the patient.
 - e. The age of the patient.
 - f. The marital status of the patient.
 - g. The educational level of the patient.
 - h. The number of previous pregnancies, live births, and spontaneous or induced termination of pregnancies.
 - i. The month and year in which the termination occurred.
 - j. The number of weeks since the patient's last menstrual period and a clinical estimate of gestation.
2. It is the intent of the general assembly that the information shall be collected, reproduced, released, and disclosed in a manner specified by rule of the department, adopted pursuant to chapter 17A, which ensures the anonymity of the patient who experiences a termination of pregnancy, the health care provider who identifies and diagnoses or induces a termination of pregnancy, and the hospital, clinic, or other health facility in which a termination of pregnancy is identified and diagnosed or induced. The department may share information with federal public health officials for the purposes of securing federal funding or conducting public health research. However, in sharing the information, the department shall not relinquish control of the information, and any agreement entered into by the department with federal public health officials to share information shall prohibit the use, reproduction, release, or disclosure of the information by federal public health officials in a manner which violates this section. The department shall publish, annually, a demographic summary of the information obtained pursuant to this section, except that the department shall not

reproduce, release, or disclose any information obtained pursuant to this section which reveals the identity of any patient, health care provider, hospital, clinic, or other health facility, and shall ensure anonymity in the following ways:

a. The department may use information concerning the report tracking number or concerning the identity of a reporting health care provider, hospital, clinic, or other health facility only for purposes of information collection. The department shall not reproduce, release, or disclose this information for any purpose other than for use in annually publishing the demographic summary under this section.

b. The department shall enter the information, from any report of termination submitted, within thirty days of receipt of the report, and shall immediately destroy the report following entry of the information. However, entry of the information from a report shall not include any health care provider, hospital, clinic, or other health facility identification information including, but not limited to, the confidential health care provider code, as assigned by the department.

c. To protect confidentiality, the department shall limit release of information to release in an aggregate form which prevents identification of any individual patient, health care provider, hospital, clinic, or other health facility. For the purposes of this paragraph, "aggregate form" means a compilation of the information received by the department on termination of pregnancies for each information item listed, with the exceptions of the report tracking number, the health care provider code, and any set of information for which the amount is so small that the confidentiality of any person to whom the information relates may be compromised. The department shall establish a methodology to provide a statistically verifiable basis for any determination of the correct amount at which information may be released so that the confidentiality of any person is not compromised.

3. Except as specified in subsection 2, reports, information, and records submitted and maintained pursuant to this section are strictly confidential and shall not be released or made public upon subpoena, search warrant, discovery proceedings, or by any other means.

4. The department shall assign a code to any health care provider who may be required to report a termination under this section. An application procedure shall not be required for assignment of a code to a health care provider.

5. A health care provider shall assign a report tracking number which enables the health care provider to access the patient's medical information without identifying the patient.

6. To ensure proper performance of the reporting requirements under this section, it is preferred that a health care provider who practices within a hospital, clinic, or other health facility authorize one staff person to fulfill the reporting requirements.

7. For the purposes of this section, "health care provider" means an individual licensed under chapter 148, 148C, 148D, 150, 150A, or 152, or any individual who provides medical services under the authorization of the licensee.

8. For the purposes of this section, "inducing a termination of pregnancy" means the use of any means to terminate the pregnancy of a woman known to be pregnant with the intent other than to produce a live birth or to remove a dead fetus.

9. For the purposes of this section, "spontaneous termination of pregnancy" means the occurrence of an unintended termination of pregnancy at any time during the period from conception to twenty weeks gestation and which is not a spontaneous termination of pregnancy at any time during the period from twenty weeks or greater which is reported to the department as a fetal death under this chapter.

Sec. 2. Section 144.52, Code 1997, is amended by adding the following new subsection:

Senate File 128, p. 5

NEW SUBSECTION. 7. Knowingly violates a provision of
section 144.29A.

MARY E. KRAMER
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and
is known as Senate File 128, Seventy-seventh General Assembly.

MARY PAT GUNDERSON
Secretary of the Senate

Approved May 21, 1997

TERRY E. BRANSTAD
Governor

SF 128