

139A.3 Report to department immunity confidentiality.

1. The health care provider or public, private, or hospital clinical laboratory attending a person infected with a reportable disease shall immediately report the case to the department. However, when a case occurs within the jurisdiction of a local health department, the report shall be made to the local department and to the department. A health care provider or public, private, or hospital clinical laboratory who files such a report which identifies a person infected with a reportable disease shall assist in the investigation by the department, a local board, or a local department. The department shall publish and distribute instructions concerning the method of reporting. Reports shall be made in accordance with rules adopted by the department and shall require inclusion of all the following information:

- a.* The patient's name.
- b.* The patient's address.
- c.* The patient's date of birth.
- d.* The sex of the patient.
- e.* The race and ethnicity of the patient.
- f.* The patient's marital status.
- g.* The patient's telephone number.
- h.* The name and address of the laboratory.
- i.* The date the test was found to be positive and the collection date.
- j.* The name of the health care provider who performed the test.
- k.* If the patient is female, whether the patient is pregnant.

2. *a.* Any person who, acting reasonably and in good faith, files a report under this section is immune from any liability, civil or criminal, which might otherwise be incurred or imposed for making a report.

b. A report to the department, to a local board, or to a local department, which identifies a person infected with a reportable disease, is confidential and shall not be accessible to the public.

c. Notwithstanding paragraph "*b*", information contained in the report may be reported in public health records in a manner which prevents the identification of any person or business named in the report. If information contained in the report concerns a business, information disclosing the identity of the business may be released to the public when the state epidemiologist or the director of public health determines such a release of information necessary for the protection of the health of the public.