

House Amendment 1414

Amendment Text

PAG LIN

1 1 Amend [House File 116](#) as follows:
1 2 #1. Page 1, by striking lines 1 through 14 and
1 3 inserting the following:
1 4 "Section 1. Section [144.29A](#), Code 2001, is amended
1 5 to read as follows:
1 6 144.29A

~~TERMINATION OF PREGNANCY~~

~~HEALTH-RELATED~~

1 7 REPORTING.
1 8 1. A health care provider who initially identifies
1 9 and diagnoses a spontaneous termination of pregnancy
1 10 or who induces a termination of pregnancy or who
1 11 initially identifies or diagnoses an incidence of a
1 12 sports-related injury sustained during kindergarten
1 13 through grade twelve curricular or extracurricular
1 14 athletic activities shall file with the department a
1 15 report for each

~~termination~~

~~incidence~~ within thirty
1 16 days of the occurrence. The health care provider
1 17 shall make a good faith effort to obtain all of the
1 18 following information that is available with respect
1 19 to each

~~termination~~

~~incidence, as applicable:~~

1 20 a. The confidential health care provider code as
1 21 assigned by the department.
1 22 b. The report tracking number.
1 23 c. The maternal health services region of the Iowa
1 24 department of public health, as designated as of July
1 25 1, 1997, in which the patient resides.
1 26 d. The race of the patient.
1 27 e. The age of the patient.
1 28 f. The marital status of the patient.
1 29 g. The educational level of the patient.
1 30 h. The number of previous pregnancies, live
1 31 births, and spontaneous or induced terminations of
1 32 pregnancies or the number of previous incidences of
1 33 sports-related injuries sustained during kindergarten
1 34 through grade twelve curricular or extracurricular
1 35 athletic activities identified or diagnosed.
1 36 i. The month and year in which the termination
1 37 occurred or in which the incidence of sports-related
1 38 injuries sustained during kindergarten through grade
1 39 twelve curricular or extracurricular athletic
1 40 activities was identified or diagnosed.
1 41 j. The number of weeks since the patient's last
1 42 menstrual period and a clinical estimate of gestation.
1 43 2. It is the intent of the general assembly that
1 44 the information shall be collected, reproduced,
1 45 released, and disclosed in a manner specified by rule
1 46 of the department, adopted pursuant to chapter 17A,
1 47 which ensures the anonymity of the patient

~~who~~

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1 48

~~experiences a termination of pregnancy~~

- , the health

1 49 care provider who identifies and diagnoses or induces
1 50 a termination of pregnancy or who identifies or
2 1 diagnoses an incidence of sports-related injury
2 2 sustained during kindergarten through grade twelve
2 3 curricular or extracurricular athletic activities, and
2 4 the hospital, clinic, or other health facility in
2 5 which a termination of pregnancy is identified and
2 6 diagnosed or induced or in which the incidence of
2 7 sports-related injury sustained during kindergarten
2 8 through grade twelve curricular or extracurricular
2 9 athletic activities was identified or diagnosed. The
2 10 department may share information with federal public
2 11 health officials for the purposes of securing federal
2 12 funding or conducting public health research.
2 13 However, in sharing the information, the department
2 14 shall not relinquish control of the information, and
2 15 any agreement entered into by the department with
2 16 federal public health officials to share information
2 17 shall prohibit the use, reproduction, release, or
2 18 disclosure of the information by federal public health
2 19 officials in a manner which violates this section.
2 20 The department shall publish, annually, a demographic
2 21 summary of the information obtained pursuant to this
2 22 section, except that the department shall not
2 23 reproduce, release, or disclose any information
2 24 obtained pursuant to this section which reveals the
2 25 identity of any patient, health care provider,
2 26 hospital, clinic, or other health facility, and shall
2 27 ensure anonymity in the following ways:
2 28 a. The department may use information concerning
2 29 the report tracking number or concerning the identity
2 30 of a reporting health care provider, hospital, clinic,
2 31 or other health facility only for purposes of
2 32 information collection. The department shall not
2 33 reproduce, release, or disclose this information for
2 34 any purpose other than for use in annually publishing
2 35 the demographic summary under this section.
2 36 b. The department shall enter the information,
2 37 from any report

~~of termination~~

- submitted, within

2 38 thirty days of receipt of the report, and shall
2 39 immediately destroy the report following entry of the
2 40 information. However, entry of the information from a
2 41 report shall not include any health care provider,
2 42 hospital, clinic, or other health facility
2 43 identification information including, but not limited
2 44 to, the confidential health care provider code, as
2 45 assigned by the department.
2 46 c. To protect confidentiality, the department
2 47 shall limit release of information to release in an
2 48 aggregate form which prevents identification of any
2 49 individual patient, health care provider, hospital,
2 50 clinic, or other health facility. For the purposes of
3 1 this paragraph, "aggregate form" means a compilation
3 2 of the information received by the department

~~on~~

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3 3

~~termination of pregnancies~~

- for each information item

3 4 listed, with the exceptions of the report tracking
3 5 number, the health care provider code, and any set of
3 6 information for which the amount is so small that the
3 7 confidentiality of any person to whom the information
3 8 relates may be compromised. The department shall
3 9 establish a methodology to provide a statistically
3 10 verifiable basis for any determination of the correct
3 11 amount at which information may be released so that
3 12 the confidentiality of any person is not compromised.

3 13 3. Except as specified in subsection 2, reports,
3 14 information, and records submitted and maintained
3 15 pursuant to this section are strictly confidential and
3 16 shall not be released or made public upon subpoena,
3 17 search warrant, discovery proceedings, or by any other
3 18 means.

3 19 4. The department shall assign a code to any
3 20 health care provider who may be required to report

~~a~~

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3 21

~~termination~~

- under this section. An application

3 22 procedure shall not be required for assignment of a
3 23 code to a health care provider.

3 24 5. A health care provider shall assign a report
3 25 tracking number which enables the health care provider
3 26 to access the patient's medical information without
3 27 identifying the patient.

3 28 6. To ensure proper performance of the reporting
3 29 requirements under this section, it is preferred that
3 30 a health care provider who practices within a
3 31 hospital, clinic, or other health facility authorize
3 32 one staff person to fulfill the reporting
3 33 requirements.

3 34 7. For the purposes of this section, "health care
3 35 provider" means an individual licensed under chapter
3 36 148, 148C, 148D, 150, 150A, or 152, or any individual
3 37 who provides medical services under the authorization
3 38 of the licensee.

3 39 8. For the purposes of this section, "inducing a
3 40 termination of pregnancy" means the use of any means
3 41 to terminate the pregnancy of a woman known to be
3 42 pregnant with the intent other than to produce a live
3 43 birth or to remove a dead fetus.

3 44 9. For the purposes of this section, "spontaneous
3 45 termination of pregnancy" means the occurrence of an
3 46 unintended termination of pregnancy at any time during
3 47 the period from conception to twenty weeks gestation
3 48 and which is not a spontaneous termination of
3 49 pregnancy at any time during the period from twenty
3 50 weeks or greater which is reported to the department
4 1 as a fetal death under this chapter."

4 2 #2. Title page, line 1, by inserting after the
4 3 word "in" the following: "health-related reporting
4 4 including".

4 5

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4 7

4 8 ATTEBERRY of Delaware

4 9 HF 116.714 79

4 10 pf/cls

