

FEB 1 1974

HOUSE FILE 1104

Place On Calendar

House File 1104
Human Resources—
Gluba, Chairman
Burroughs
Andersen

2-c, per per 2297, 2-28

By COMMITTEE ON HUMAN RESOURCES
(Committee on Human Resources)

Passed House, Date 2-4-74 (214) Passed Senate, Date 3-12-74 (734)

Vote: Ayes 95 Nays 0 Vote: Ayes 41 Nays 6

Approved 4-8-74

*Passed & amended by Senate
3-19-74 (1073)*

32-0

A BILL FOR

1 An Act relating to care review committees for health care
2 facilities licensed under chapter one hundred thirty-five
3 C (135C) of the Code.

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

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1 Section 1. Section one hundred thirty-five C point nine-
2 teen (135C.19), Code 1973, is amended to read as follows:

3 135C.19 CONFIDENTIAL INFORMATION. Information received
4 by the department through reports, inspection, or as other-
5 wise authorized in this chapter shall not be disclosed pub-
6 licly in such manner as to identify individuals or health
7 care facilities without the written authorization of the li-
8 censee involved ~~in-a~~ as follows:

9 1. In a proceeding involving the question of licensure
10 or in the matter of the denial, suspension, or revocation
11 of a license.

12 2. Confidential information relating to a health care
13 facility shall be furnished to the care review committee,
14 appointed for that facility pursuant to section one hundred
15 thirty-five C point twenty-five (135C.25) of the Code, upon
16 the written request of a majority of the members of the care
17 review committee.

18 Sec. 2. Section one hundred thirty-five C point twenty-
19 five (135C.25), Code 1973, is amended to read as follows:

20 135C.25 CARE REVIEW COMMITTEE. Each health care facility
21 shall have a care review committee, ~~established in accordance~~
22 ~~with the rules of the department, which~~ whose members shall
23 be appointed by the areawide health planning council recog-
24 nized as such by this state acting through the office for
25 comprehensive health planning in the office for planning and
26 programming. The care review committee shall periodically
27 review the needs of each individual patient or resident of
28 the facility. The ~~composition~~ responsibilities of the care
29 review committee shall be in accordance with rules of the
30 department, which shall in formulating such rules give
31 consideration to the needs of patients and residents of each
32 license category of health care facility and the services
33 facilities of each category are authorized to render.

34 EXPLANATION

35 At present, rules of the Department of Health permit opera-

1 tors of nursing and custodial homes, and other facilities
2 licensed under chapter 135C of the Code, to appoint the mem-
3 bers of the care review committees for their own facilities.
4 This bill places authority for appointment of care review
5 committees with the state's areawide health planning councils,
6 which is believed to be more nearly in accord with the orig-
7 inal intent of the 1970 legislation requiring a care review
8 committee for each licensed facility. Section one of the
9 bill will help to make care review committees more effective
10 by giving each committee access to confidential information
11 concerning the health care facility for which it is appointed.

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LSB 3207
pb/jw/3

S-2297

1 Amend House File 1104, page 2, by striking lines 1
2 through 17 and inserting in lieu thereof the following:
3 Section 1. Section one hundred thirty-five C point
4 nineteen, (135C.19), Code 1973, is amended by striking
5 the section and inserting in lieu thereof the follow-
6 ing:
7 135C.19 PUBLIC DISCLOSURE OF INSPECTION FINDINGS.
8 Following inspection of a health care facility by the
9 department, the findings of the inspection with respect
10 to compliance by the facility with requirements for
11 licensing under this chapter shall be made public in a
12 readily available form and place forty-five days after
13 the findings are made available to the applicant or
14 licensee. However, if the applicant or licensee requests
15 a hearing pursuant to section one hundred thirty-five
16 C point eleven (135C.11) of the Code, the findings of
17 the inspection shall not be made public until the hearing
18 has been completed. Other information relating to any
19 health care facility, obtained by the department through
20 reports, investigations, complaints, or as otherwise
21 authorized by this chapter, which is not a part of the
22 department's findings from an inspection of the facility,
23 shall not be disclosed publicly except in proceedings in-
24 volving the denial, suspension or revocation of a
25 license under this chapter.

S-2297 Filed - *Adopted 3/12*
February 28, 1974

By COMMITTEE ON HUMAN RESOURCES

SENATE AMENDMENT TO HOUSE FILE 1104

1 Amend House File 1104, page 2, by striking lines 1
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20 any health care facility, obtained by the department
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22 otherwise authorized by this chapter, which is not
23 a part of the department's findings from an
24 inspection of the facility, shall not be disclosed
25 publicly except in proceedings involving the denial,
26 suspension or revocation of a license under this
27 chapter.

Received from the Senate
March 14, 1974

House concurred 2/19