

FEB 8 1996

Place On Calendar

HOUSE FILE

2181

BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HSB 523)

Passed House, ^(p. 339) Date 2/15/96

Passed Senate, Date _____

Vote: Ayes 76 Nays 20

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:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

HF 2181

1 Section 1. 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 1995, 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 limiting the use of the data collected
19 to the annual publishing of the demographic summary, requiring
20 that entry of data from reports be performed within 30 days of
21 the receipt of a report and that the data then be immediately
22 destroyed prohibiting data entered from including any health
23 care provider identification information and that to protect
24 confidentiality the department is to limit release of data to
25 release in an aggregate form. The bill also provides that
26 except as otherwise specified in the bill, reports,
27 information, and records submitted and maintained under the
28 bill are confidential and are not to be released or made
29 public upon subpoena, search warrant, discovery proceedings,
30 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

HOUSE FILE 2181

H-5077

- 1 Amend House File 2181 as follows:
- 2 1. Page 1, line 3 and 4, by striking the words
- 3 "identifies a spontaneous termination of pregnancy or
- 4 who".
- 5 2. Page 1, by striking line 15.
- 6 3. Page 1, line 16, by inserting after the word
- 7 "patient" the following: "and of the impregnator".
- 8 4. Page 1, by striking line 18.
- 9 5. Page 1, line 20, by striking the words
- 10 "spontaneous or".
- 11 6. Page 1, by striking line 25.
- 12 7. Page 1, lines 26 and 27, by striking the words
- 13 ", if the termination is induced".
- 14 8. Page 1, line 32, by striking the words
- 15 "identifies or".
- 16 9. Page 1, line 34, by striking the words
- 17 "identified or".
- 18 10. By renumbering as necessary.

By CONNORS of Polk
DODERER of Johnson
METCALF of Polk

H-5077 FILED FEBRUARY 15, 1996
RULES SUSPENSION REQUIRED - MOTION TO SUSPEND RULES - LOST

(p. 338)

HOUSE FILE 2181

H-5075

- 1 Amend House File 2181 as follows:
 - 2 1. Page 2, line 24, by striking the word "avoids"
 - 3 and inserting the following: "prevents".
- By GRUNDBERG of Polk

H-5075 FILED FEBRUARY 15, 1996
WITHDRAWN

(p. 339)

HOUSE FILE 2181

H-5076

- 1 Amend House File 2181 as follows:
- 2 1. Page 2, by inserting after line 26 the
- 3 following:
- 4 "d. The department shall not release data in a
- 5 manner which categorizes the data by county or is in
- 6 any manner county-specific."

By HARPER of Black Hawk

H-5076 FILED FEBRUARY 15, 1996
RULES SUSPENSION REQUIRED - MOTION TO SUSPEND RULES - LOST

(p. 339)