

2/15/96 Human Res.

FILED FEB 14 1996

SENATE FILE 2194
BY McLAREN

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act prohibiting a health care provider or other person from
2 providing, selling, or otherwise making available, hospital or
3 medical records.

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

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S.F. 2194

1 Section 1. NEW SECTION. 144D.1 PROVIDING OR SELLING
2 HOSPITAL OR MEDICAL RECORDS PROHIBITED.

3 A provider, as defined in section 144C.2, or other person,
4 in possession or control of hospital or medical records, shall
5 not provide, sell, or otherwise make available to any person,
6 hospital or medical records. However, a provider may provide
7 hospital or medical records to the community health management
8 information system, pursuant to chapter 144C, and to a patient
9 to whom such records pertain. A provider or other person
10 violating this section commits a simple misdemeanor. Each
11 provision or sale of hospital or medical records in violation
12 of this section constitutes a separate offense.

13 EXPLANATION

14 This bill creates a new chapter to the Code, chapter 144D.
15 The bill provides that a provider or other person shall not
16 provide, sell, or otherwise make available to any person,
17 hospital or medical records. However, a provider may provide
18 hospital or medical records to the community health management
19 information system and to a patient to whom such records
20 pertain. A provider is defined as a hospital, health care
21 facility, hospice program, health-related professional, or
22 home care aide. A provider or other person violating this
23 section commits a simple misdemeanor. Each provision or sale
24 of hospital or medical records in violation of this section
25 constitutes a separate offense.

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