

Senate Study Bill 3186

Bill Text

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1 1 Section 1. Section [144.29A](#), subsection 1, Code 1999, is
1 2 amended to read as follows:
1 3 1. A health care provider who

~~initially identifies and~~

1 4

~~diagnoses a spontaneous termination of pregnancy or who~~

1 5 induces a termination of pregnancy shall file with the
1 6 department a report for each termination within thirty days of
1 7 the occurrence. The health care provider shall make a good
1 8 faith effort to obtain all of the following information that
1 9 is available with respect to each termination:

1 10 a. The confidential health care provider code as assigned
1 11 by the department.

1 12 b. The

~~report tracking~~

~~confidential patient identification~~

1 13 number.

1 14 c. The name of the facility at which the termination of
1 15 pregnancy took place.

1 16 d. The name of the city or location at which the
1 17 termination of pregnancy took place.

1 18 e. The name of the attending physician.

1 19 f. The name of the person completing the report.

1 20

~~e.~~

~~g.~~ The

~~maternal health services region of the Iowa~~

1 21

~~department of public health, as designated as of July 1, 1997,~~

1 22

~~in which the patient resides~~

~~city, county, state, and zip code~~

1 23 of the patient's residence.

1 24

~~d.~~

~~h.~~ The race of the patient.

1 25 i. Whether the patient is of Hispanic or non-Hispanic
1 26 origin.

1 27 j. The ancestry of the patient.

1 28

~~e.~~

~~k.~~ The age of the patient.

1 29

~~f.~~

- l. The marital status of the patient.

1 30

~~g.~~

- m. The educational level of the patient.

1 31

~~h.~~

- n. The number of previous pregnancies, live births,

1 32 both living and deceased, and spontaneous or induced

1 33 terminations of pregnancies.

1 34

~~i.~~

- o. The month and year in which the termination

1 35 occurred.

2 1 p. The type of termination procedure used.

2 2

~~j.~~

- g. The

~~number of weeks since~~

- month, day, and year on

2 3 which the patient's last menstrual period began and a clinical
2 4 estimate of gestation.

2 5 Sec. 2. Section 144.29A, subsection 2, is amended to read
2 6 as follows:

2 7 2. It is the intent of the general assembly that the
2 8 information shall be collected, reproduced, released, and
2 9 disclosed in a manner specified by rule of the department,
2 10 adopted pursuant to chapter 17A, which ensures the anonymity
2 11 of the patient who experiences a termination of pregnancy, the
2 12 health care provider who

~~identifies and diagnoses or~~

- induces a

2 13 termination of pregnancy, and the hospital, clinic, or other

2 14 health facility in which a termination of pregnancy is

2 15

~~identified and diagnosed or~~

- induced. The department may share

2 16 information with federal public health officials for the
2 17 purposes of securing federal funding or conducting public
2 18 health research. However, in sharing the information, the
2 19 department shall not relinquish control of the information,
2 20 and any agreement entered into by the department with federal
2 21 public health officials to share information shall prohibit
2 22 the use, reproduction, release, or disclosure of the
2 23 information by federal public health officials in a manner
2 24 which violates this section. The department shall publish

~~r.~~

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2 25

~~annually~~

- a demographic summary of the information obtained

2 26 pursuant to this section, except that the department shall not

2 27 reproduce, release, or disclose any information obtained

2 28 pursuant to this section which reveals the identity of any

2 29 patient, health care provider, hospital, clinic, or other

2 30 health facility, and shall ensure anonymity in the following

2 31 ways:

2 32 a. The department may use information concerning the
2 33

~~report tracking~~

- confidential patient identification number or
2 34 concerning the identity of a reporting health care provider,
2 35 hospital, clinic, or other health facility only for purposes
3 1 of information collection. The department shall

~~not~~

- only

3 2 reproduce, release, or disclose this information

~~for any~~

-

3 3

~~purpose other than for use in annually publishing the~~

- in

3 4 demographic summary form under this section.

3 5 b. The department shall enter the information, from any
3 6 report of termination submitted, within thirty days of receipt
3 7 of the report

~~, and~~

- The department shall

~~immediately~~

- destroy

3 8 the report following entry of the information and within a
3 9 time period specified by rules adopted by the department
3 10 pursuant to chapter 17A. However, entry of the information
3 11 from a report shall not include any health care provider,
3 12 hospital, clinic, or other health facility identification
3 13 information including, but not limited to, the confidential
3 14 health care provider code, as assigned by the department.

3 15 c. To protect confidentiality, the department shall limit
3 16 release of information to release in an aggregate form which
3 17 prevents identification of any individual patient, health care
3 18 provider, hospital, clinic, or other health facility. For the
3 19 purposes of this paragraph, "aggregate form" means a
3 20 compilation of the information received by the department on
3 21 termination of pregnancies for each information item listed,
3 22 with the exceptions of the

~~report tracking~~

- confidential

3 23 patient identification number, the health care provider code,
3 24 and any set of information for which the amount is so small
3 25 that the confidentiality of any person to whom the information
3 26 relates may be compromised. The department shall establish a
3 27 methodology to provide a statistically verifiable basis for
3 28 any determination of the correct amount at which information
3 29 may be released so that the confidentiality of any person is
3 30 not compromised.

3 31 Sec. 3. Section 144.29A, subsection 5, Code 1999, is
3 32 amended to read as follows:

3 33 5. A health care provider shall assign a

~~report tracking~~

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3 34 confidential patient identification number which enables the
3 35 health care provider to access the patient's medical
4 1 information without identifying the patient.

4 2 Sec. 4. Section 144.29A, subsection 9, Code 1999, is
4 3 amended by striking the subsection.

4 4

EXPLANATION

4 5 This bill amends Code section 144.29A to provide for the
4 6 collection of additional information through the termination
4 7 of pregnancy reporting process. Additional information to be
4 8 collected under the bill includes: the name of the facility
4 9 at which the termination of pregnancy took place; the name of
4 10 the city or location at which the termination of pregnancy
4 11 took place; the name of the attending physician; the name of
4 12 the person completing the report; the confidential
4 13 identification number of the patient; the city, county, state,
4 14 and zip code of the area in which the patient resides; whether
4 15 the patient is of Hispanic or non-Hispanic origin; the
4 16 ancestry of the patient; if previous live births have
4 17 occurred, whether the children are living or deceased at the
4 18 time of the reporting; the type of termination procedure used,
4 19 if the termination is induced; and the month, day, and year on
4 20 which the patient's last menstrual period began. The bill
4 21 also makes conforming changes relating to the use of a
4 22 confidential patient identification number, and makes changes
4 23 relating to the dissemination of information. The bill also
4 24 deletes the subsection which defines "spontaneous termination
4 25 of pregnancy" as the bill eliminates collection of information
4 26 relating to spontaneous terminations with the exception of
4 27 prior spontaneous terminations.
4 28 LSB 6653XC 78
4 29 pf/as/5.1