

JAN 26 2001

COMMERCE AND REGULATION

HOUSE FILE 110

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SCHRADER, OSTERHAUS, PETERSEN,
WISE, MASCHER, SHOULTZ, and
JOCHUM

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

HE 110

1 An Act relating to medical information and individual medical
2 records.

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

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1 Section 1. NEW SECTION. 144D.1 PERSONAL MEDICAL
2 INFORMATION.

3 1. For the purposes of this section:

4 a. "Health care provider" shall mean any of the following,
5 and includes any officer, employee, or agent of the health
6 care provider:

7 (1) An individual licensed under chapter 148, 148A, 148B,
8 148C, 148D, 148E, 149, 150, 150A, 151, 152, 152A, 152B, 152C,
9 152D, 153, 154, 154A, 154B, 154C, 154D, or 155A, or any
10 individual who provides health care services under the
11 authorization of the licensee.

12 (2) An institutional health facility as defined in section
13 135.61.

14 (3) A health care facility as defined in section 135C.1.

15 (4) Any other individual or facility providing health care
16 services to an individual.

17 b. "Medical information" means any information regarding a
18 patient, including the patient's identity, that is given by
19 the patient to the health care provider, or that is recorded
20 by the health care provider about the patient in the course of
21 providing health care services.

22 2. Medical information contained in the medical records in
23 the possession of any health care provider is the property of
24 the patient.

25 3. The patient is entitled upon request to a copy of the
26 medical records containing the medical information of the
27 patient. The health care provider may charge a reasonable fee
28 for making the copy.

29 4. Release or use of medical information for the purpose
30 of sales or marketing of services or products shall be
31 prohibited without the written authorization of the patient.

32 EXPLANATION

33 This bill creates a new Code chapter relating to individual
34 medical information. New Code section 144D.1 provides that
35 medical information contained in the medical records in the

1 possession of any health care provider is the property of the
2 patient. The patient is entitled to a copy of the medical
3 record, and the health care provider may charge a reasonable
4 fee for such copy. Release or use of medical information for
5 the purpose of sales or marketing of services or products is
6 prohibited without the written authorization of the patient.

7 The bill also defines "medical information" and "health
8 care provider".

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