

Senate Study Bill 3051

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CO=CHAIRPERSON SEYMOUR)

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

A BILL FOR

1 An Act providing for the release of certain morbidity and
2 mortality study information to the Iowa healthcare
3 collaborative.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 6181SK 81
6 rn/gg/14

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1 1 Section 1. Section 135.40, Code 2005, is amended to read
1 2 as follows:
1 3 135.40 COLLECTION AND DISTRIBUTION OF INFORMATION.
1 4 Any person, hospital, sanatorium, nursing or rest home or
1 5 other organization may provide information, interviews,
1 6 reports, statements, memoranda, or other data relating to the
1 7 condition and treatment of any person to the department, the
1 8 Iowa medical society or any of its allied medical societies,
1 9 ~~or the Iowa osteopathic medical association, or any in-~~
1 10 ~~hospital staff committee, or the Iowa healthcare collaborative~~
1 11 ~~or its successor organization,~~ to be used in the course of any
1 12 study for the purpose of reducing morbidity or mortality, and
1 13 no liability of any kind or character for damages or other
1 14 relief shall arise or be enforced against any person or
1 15 organization by reason of having provided such information or
1 16 material, or by reason of having released or published the
1 17 findings and conclusions of such groups to advance medical
1 18 research and medical education, or by reason of having
1 19 released or published generally a summary of such studies.
1 20 For the purposes of this section, and section 135.41, the
1 21 "Iowa healthcare collaborative" means a partnership
1 22 organization or association between the Iowa hospital
1 23 association and the Iowa medical society established to
1 24 provide direction to quality, safety, and value improvement
1 25 collaborative efforts by hospitals and physicians.

1 26 Sec. 2. Section 135.41, Code 2005, is amended to read as
1 27 follows:
1 28 135.41 PUBLICATION.
1 29 The department, the Iowa medical society or any of its
1 30 allied medical societies, ~~or the Iowa osteopathic medical~~
1 31 ~~association, or any in-hospital staff committee, or the Iowa~~
1 32 ~~healthcare collaborative or its successor organization~~ shall
1 33 use or publish said material only for the purpose of advancing
1 34 medical research or medical education in the interest of
1 35 reducing morbidity or mortality, except that a summary of such
2 1 studies may be released by any such group for general
2 2 publication. In all events the identity of any person whose
2 3 condition or treatment has been studied shall be confidential
2 4 and shall not be revealed under any circumstances. A
2 5 violation of this section shall constitute a simple
2 6 misdemeanor.

EXPLANATION

2 7
2 8 This bill adds the Iowa healthcare collaborative to the
2 9 list of entities which may receive and publish information
2 10 relating to a morbidity or mortality study. According to Code
2 11 section 135.40, a person, hospital, sanatorium, nursing or
2 12 rest home, or other organization may provide specified
2 13 information relating to the condition and treatment of any
2 14 person to entities listed in the section to now include the
2 15 Iowa healthcare collaborative pursuant to the bill, to be used

2 16 in a study for the purpose of reducing morbidity or mortality,
2 17 without liability. In Code section 135.41, the same entities,
2 18 now to include the Iowa healthcare collaborative, may use or
2 19 publish the information under specified circumstances and on a
2 20 confidential basis regarding individuals involved as subjects
2 21 in the study.
2 22 The bill defines the "Iowa healthcare collaborative" as a
2 23 partnership organization or association between the Iowa
2 24 hospital association and the Iowa medical society established
2 25 to provide direction to quality, safety, and value improvement
2 26 collaborative efforts by hospitals and physicians.
2 27 LSB 6181SK 81
2 28 rn:rj/gg/14