

**Senate Study Bill 1165 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL BY  
CHAIRPERSON MATHIS)

**A BILL FOR**

1 An Act relating to the release of certain information to a  
2 procurement organization.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 22.7, subsection 41, Code 2015, is  
2 amended to read as follows:

3 41. a. Medical examiner records and reports, including  
4 preliminary reports, investigative reports, and autopsy  
5 reports. ~~However, medical~~

6 b. Notwithstanding paragraph "a", the following records or  
7 reports shall be released as follows:

8 (1) Medical examiner records and reports shall be released  
9 ~~to:~~

10 (a) To a law enforcement agency that is investigating the  
11 death, upon the request of the law enforcement agency, ~~and~~  
12 autopsy.

13 (b) To an organ procurement organization as defined in  
14 section 142C.2, upon the request of such organ procurement  
15 organization.

16 (2) Autopsy reports shall be released ~~to the:~~

17 (a) To an organ procurement organization as defined in  
18 section 142C.2, upon the request of such organ procurement  
19 organization.

20 (b) To the decedent's immediate next of kin upon the request  
21 of the decedent's immediate next of kin unless disclosure  
22 to the decedent's immediate next of kin would jeopardize an  
23 investigation or pose a clear and present danger to the public  
24 safety or the safety of an individual.

25 c. Information regarding the cause and manner of death  
26 shall not be kept confidential under this subsection unless  
27 disclosure would jeopardize an investigation or pose a clear  
28 and present danger to the public safety or the safety of an  
29 individual.

30 Sec. 2. Section 142C.7, Code 2015, is amended to read as  
31 follows:

32 **142C.7 Confidential information.**

33 A hospital, licensed or certified health care professional  
34 pursuant to chapter 148, 148C, or 152, or medical examiner ~~may~~  
35 shall release patient information to a procurement organization

1 as part of a referral or retrospective review of the patient  
2 as a potential donor. Any information regarding a patient,  
3 including the patient's identity, however, constitutes  
4 confidential medical information and under any other  
5 circumstances is prohibited from disclosure without the written  
6 consent of the patient or the patient's legal representative.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with  
9 the explanation's substance by the members of the general assembly.

10 This bill relates to the release of information to  
11 a procurement organization. Under current law, "organ  
12 procurement organization" means a person designated by  
13 the United States secretary of health and human services  
14 as an organ procurement organization; and a "procurement  
15 organization" means an eye bank, organ procurement  
16 organization, or tissue bank.

17 The bill provides that medical examiner records and reports  
18 and autopsy reports shall be released to an organ procurement  
19 organization, upon the request of such organ procurement  
20 organization. Additionally, the bill requires, rather  
21 than authorizes, a hospital, licensed or certified health  
22 care professional, or medical examiner to release patient  
23 information to a procurement organization as part of a referral  
24 or retrospective review of the patient as a potential donor.