

MAR 1 2006
Place On Calendar

HOUSE FILE 2589
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO HSB 712)

Passed House, Date _____ Passed Senate, 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:

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HF 2589

1 Section 1. Section 135.40, Code 2005, is amended to read
2 as follows:

3 135.40 COLLECTION AND DISTRIBUTION OF INFORMATION.

4 Any person, hospital, sanatorium, nursing or rest home or
5 other organization may provide information, interviews,
6 reports, statements, memoranda, or other data relating to the
7 condition and treatment of any person to the department, the
8 Iowa medical society or any of its allied medical societies,
9 ~~or the Iowa osteopathic medical association, or any in-~~
10 ~~hospital staff committee, or the Iowa healthcare~~
11 collaborative, to be used in the course of any study for the
12 purpose of reducing morbidity or mortality, and no liability
13 of any kind or character for damages or other relief shall
14 arise or be enforced against any person or organization by
15 reason of having provided such information or material, or by
16 reason of having released or published the findings and
17 conclusions of such groups to advance medical research and
18 medical education, or by reason of having released or
19 published generally a summary of such studies.

20 For the purposes of this section, and section 135.41, the
21 "Iowa healthcare collaborative" means an organization which is
22 exempt from federal taxation under section 501(c)(3) of the
23 Internal Revenue Code and which is established to provide
24 direction to promote quality, safety, and value improvement
25 collaborative efforts by hospitals and physicians.

26 Sec. 2. Section 135.41, Code 2005, is amended to read as
27 follows:

28 135.41 PUBLICATION.

29 The department, the Iowa medical society or any of its
30 allied medical societies, ~~or the Iowa osteopathic medical~~
31 ~~association, or any in-hospital staff committee, or the Iowa~~
32 healthcare collaborative shall use or publish said material
33 only for the purpose of advancing medical research or medical
34 education in the interest of reducing morbidity or mortality,
35 except that a summary of such studies may be released by any

1 such group for general publication. In all events the
2 identity of any person whose condition or treatment has been
3 studied shall be confidential and shall not be revealed under
4 any circumstances. A violation of this section shall
5 constitute a simple misdemeanor.

6 EXPLANATION

7 This bill adds the Iowa healthcare collaborative to the
8 list of entities which may receive and publish information
9 relating to a morbidity or mortality study. According to Code
10 section 135.40, a person, hospital, sanatorium, nursing or
11 rest home, or other organization may provide specified
12 information relating to the condition and treatment of any
13 person to entities listed in the section to now include the
14 Iowa healthcare collaborative pursuant to the bill, to be used
15 in a study for the purpose of reducing morbidity or mortality,
16 without liability. In Code section 135.41, the same entities,
17 now to include the Iowa healthcare collaborative, may use or
18 publish the information under specified circumstances and on a
19 confidential basis regarding individuals involved as subjects
20 in the study.

21 The bill defines the "Iowa healthcare collaborative" as an
22 organization which is exempt from federal income taxation
23 under section 501(c)(3) of the Internal Revenue Code and is
24 established to provide direction to promote quality, safety,
25 and value improvement collaborative efforts by hospitals and
26 physicians.

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*Upmeyer
Carroll
Petersen*

HSB 712

HUMAN RESOURCES

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON UPMEYER)

SUCO
02589

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