



General Assembly

February Session, 2020

Raised Bill No. 5181

LCO No. 1361



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

**AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S
RECOMMENDATIONS REGARDING REMOTE ACCESS TO MEDICAL
RECORDS MAINTAINED BY HOSPITALS AND HEALTH CARE
PROVIDERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-215 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2020*):

3 (a) For the purposes of this section:

4 (1) "Clinical laboratory" means any facility or other area used for
5 microbiological, serological, chemical, hematological,
6 immunohematological, biophysical, cytological, pathological or other
7 examinations of human body fluids, secretions, excretions or excised or
8 exfoliated tissues, for the purpose of providing information for the
9 diagnosis, prevention or treatment of any human disease or
10 impairment, for the assessment of human health or for the presence of
11 drugs, poisons or other toxicological substances.

12 (2) "Commissioner's list of reportable diseases, emergency illnesses
13 and health conditions" and "commissioner's list of reportable laboratory

14 findings" means the lists developed pursuant to section 19a-2a.

15 (3) "Confidential" means confidentiality of information pursuant to
16 section 19a-25.

17 (4) "Health care provider" means a person who has direct or
18 supervisory responsibility for the delivery of health care or medical
19 services, including licensed physicians, nurse practitioners, nurse
20 midwives, physician assistants, nurses, dentists, medical examiners and
21 administrators, superintendents and managers of health care facilities.

22 (5) "Reportable diseases, emergency illnesses and health conditions"
23 means the diseases, illnesses, conditions or syndromes designated by
24 the Commissioner of Public Health on the list required pursuant to
25 section 19a-2a.

26 (b) A health care provider shall report each case occurring in such
27 provider's practice, of any disease on the commissioner's list of
28 reportable diseases, emergency illnesses and health conditions to the
29 director of health of the town, city or borough in which such case resides
30 and to the Department of Public Health, no later than twelve hours after
31 such provider's recognition of the disease. Such reports shall be in
32 writing, by telephone or in an electronic format approved by the
33 commissioner. Such reports of disease shall be confidential and not open
34 to public inspection except as provided for in this section, section 19a-
35 25 and section 19a-72, as amended by this act.

36 (c) A clinical laboratory shall report each finding identified by such
37 laboratory of any disease identified on the commissioner's list of
38 reportable laboratory findings to the Department of Public Health not
39 later than forty-eight hours after such laboratory's finding. A clinical
40 laboratory that reports an average of more than thirty findings per
41 month shall make such reports electronically in a format approved by
42 the commissioner. Any clinical laboratory that reports an average of less
43 than thirty findings per month shall submit such reports, in writing, by
44 telephone or in an electronic format approved by the commissioner. All
45 such reports shall be confidential and not open to public inspection

46 except as provided for in this section, section 19a-25 and section 19a-72,
47 as amended by this act. The Department of Public Health shall provide
48 a copy of all such reports to the director of health of the town, city or
49 borough in which the affected person resides or, in the absence of such
50 information, the town where the specimen originated.

51 (d) When a local director of health, the local director's authorized
52 agent or the Department of Public Health receives a report of a disease
53 or laboratory finding on the commissioner's lists of reportable diseases,
54 emergency illnesses and health conditions and laboratory findings, the
55 local director of health, the local director's authorized agent or the
56 Department of Public Health may contact first the reporting health care
57 provider and then the person with the reportable finding to obtain such
58 information as may be necessary to lead to the effective control of
59 further spread of such disease. In the case of reportable communicable
60 diseases and laboratory findings, this information may include
61 obtaining the identification of persons who may be the source or
62 subsequent contacts of such infection.

63 (e) A hospital, as defined in section 19a-490 and licensed pursuant to
64 chapter 368v, shall provide the Department of Public Health with access,
65 including remote access if technically feasible, in a manner approved by
66 the Commissioner of Public Health, to the medical record of a patient
67 that concerns a reportable disease, emergency illness or health condition
68 listed by the commissioner pursuant to subdivision (9) of section 19a-2a
69 that occurs at such hospital.

70 [(e)] (f) All personal information obtained from disease prevention
71 and control investigations as performed in subsections (c) and (d) of this
72 section including the health care provider's name and the identity of the
73 reported case of disease and suspected source persons and contacts shall
74 not be divulged to anyone and shall be held strictly confidential
75 pursuant to section 19a-25, by the local director of health and the
76 director's authorized agent and by the Department of Public Health.

77 [(f)] (g) Any person who violates any reporting or confidentiality

78 provision of this section shall be fined not more than five hundred
79 dollars. No provision of this section shall be deemed to supersede
80 section 19a-584.

81 Sec. 2. Subsection (c) of section 19a-72 of the general statutes is
82 repealed and the following is substituted in lieu thereof (*Effective October*
83 *1, 2020*):

84 (c) [The] (1) A health care provider shall provide the Department of
85 Public Health, [shall be provided such] at the request of the department,
86 with access to the clinical records of any [health care provider] patient
87 with a reportable tumor, as the department deems necessary, to perform
88 case finding or other quality improvement audits to ensure
89 completeness of reporting and data accuracy consistent with the
90 purposes of this section.

91 (2) A hospital shall provide the Department of Public Health with
92 access, including remote access if technically feasible, to the entire
93 medical record of a patient with a reportable tumor, as the department
94 deems necessary, to perform case finding or other quality improvement
95 audits to ensure completeness of reporting and data accuracy consistent
96 with the purposes of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2020</i>	19a-215
Sec. 2	<i>October 1, 2020</i>	19a-72(c)

Statement of Purpose:

To allow the Department of Public Health to have remote access to electronic medical records of hospitals that involve reportable diseases, emergency illnesses and health conditions or reportable tumors.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]