HOUSE BILL No. 1013

—————

DIGEST OF HB 1013 (Updated January 16, 2014 9:49 am - DI 109)

Citations Affected: IC 25-38.1.

Synopsis: Release of animal veterinary records. Provides that in certain circumstances an animal's veterinary medical records must be released within five business days.

Effective: July 1, 2014.

Morrison, Battles, Bacon, Klinker

January 7, 2014, read first time and referred to Committee on Agriculture and Rural Development.
January 21, 2014, amended, reported — Do Pass.

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~
  Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.
  Conflict reconciliation: Text in a statute in *this style type* or *this style type* reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1013

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1   SECTION 1. IC 25-38.1-4-5.5, AS ADDED BY P.L.58-2008,
2 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2014]: Sec. 5.5. (a) Each person who provides veterinary
4 medical services shall maintain medical records, as defined by rules
5 adopted by the board.
6   (b) Veterinary medical records include the following:
7   (1) Written records and notes, radiographs, sonographic images,
8   video recordings, photographs or other images, and laboratory
9   reports.
10   (2) Other information received as the result of consultation.
11   (3) Identification of any designated agent of the owner for the
12   purpose of authorizing veterinary medical or animal health care
13   decisions.
14   (4) Any authorizations, releases, waivers, or other related
15   documents.
16   (c) The client is entitled to a copy or summary of the veterinary

1   medical records. A veterinarian may charge a reasonable fee for
2   copying or summarizing the requested veterinary medical record. The
3   veterinarian may require that the request be in writing.
4   (d) Except as provided in ~~subsection~~ **subsections** (e) **and (f)** or upon
5   written authorization of the client, an animal's veterinary medical
6   record and medical condition is confidential and may not be:
7   (1) furnished to; or
8   (2) discussed with;
9   any person other than the client or other veterinarians involved in the
10   care or treatment of the animal.
11   (e) An animal's veterinary medical records and medical condition
12   ~~may~~ **must** be furnished **within five (5) business days** without written
13   client authorization under the following circumstances:
14   (1) Access to the records is specifically required by a state or
15   federal statute.
16   (2) An order by a court with jurisdiction in a civil or criminal
17   action upon the court's issuance of a subpoena and notice to the
18   client or the client's legal representative.
19   ~~(3) For statistical and scientific research, if the information is~~
20   ~~abstracted in a way as to protect the identity of the animal and the~~
21   ~~client.~~
22   ~~(4)~~ **(3)** As part of an inspection or investigation conducted by the
23   board or an agent of the board.
24   ~~(5)~~ **(4)** As part of a request from a regulatory or health authority,
25   physician, or veterinarian:
26   (A) to verify a rabies vaccination of an animal; or
27   (B) to investigate a threat to human or animal health, or for the
28   protection of animal or public health and welfare.
29   ~~(6)~~ **(5)** As a part of an animal cruelty report and associated
30   applicable records that are part of an abuse investigation by law
31   enforcement or a governmental agency.
32   ~~(7)~~ **(6)** To a law enforcement agency as part of a criminal
33   investigation.
34   **(f) An animal's veterinary medical records and medical**
35   **condition may be furnished without written client authorization**
36   **under the following circumstances:**
37   ~~(8)~~ **(1)** To the School of Veterinary Medicine at Purdue
38   University, the animal disease diagnostic laboratory, or a state
39   agency or commission. However, an animal's veterinary medical
40   records remain confidential unless the information is disclosed in
41   a manner allowed under this section.
42   ~~(9)~~ **(2)** Veterinary medical records that are released by the board

1   of animal health when in the judgment of the state veterinarian
2   the disclosure is necessary or helpful in advancing animal health
3   or protecting public health.
4   **(3) For statistical and scientific research, if the information is**
5   **abstracted in a way as to protect the identity of the animal**
6   **and the client.**
7   (f) **(g)** An animal's veterinary medical records must be kept and
8   maintained by the veterinarian for at least three (3) years after the
9   veterinarian's last encounter with the animal.

4

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1013, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 12, delete "two (2)" and insert "**five (5)**".

and when so amended that said bill do pass.

(Reference is to HB 1013 as introduced.)

LEHE, Chair

Committee Vote: yeas 12, nays 0.