

2014 -- H 7853

=====
LC003811
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

—————
A N A C T

RELATING TO HEALTH AND SAFETY - PREGNANCY CONFIDENTIALITY ACT

Introduced By: Representatives Tanzi, Ajello, Tomasso, Abney, and Kazarian

Date Introduced: March 04, 2014

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 4.13

4 PREGNANCY CONFIDENTIALITY ACT

5 **23-4.13-1. Short title.** – This chapter shall be known and may be cited as the "Pregnancy
6 Confidentiality Act".

7 **23-4.13-2. Definitions.** – As used in this chapter, the following words and terms shall
8 have the following meanings:

9 (1) "Client" means an individual who is inquiring about or seeking services at a
10 pregnancy resource center.

11 (2) "Client records" means health information collected by a pregnancy resource center
12 from a client, including, but not limited to, demographic information; his or her name, address,
13 phone number, e-mail address, date of birth, social security number, driver's license number, or
14 Rhode Island identification card number; employer's name, address, or phone number; the names,
15 addresses, and phone numbers of any relatives or partners; and any personal or health-related
16 information collected by a pregnancy resource center related to a client's past, present, or future
17 physical or mental health or condition; the provision of health care to a client; the past, present, or
18 future payment for the provision of health care to a client; or any other information related to the
19 client's health care, including, but not limited to, the results of any tests or services provided by

1 the pregnancy resource center.

2 (3) "Pregnancy resource center" means an organization or facility that:

3 (i) Provides pregnancy counseling or information as its primary purpose, either for a fee
4 or as a free service;

5 (ii) Does not provide abortions or refer a client who wishes to obtain an abortion;

6 (iii) Does not furnish any contraceptive drug or device or refer a client who wishes to
7 obtain a contraceptive drug or device approved by the United States Food and Drug
8 Administration; and

9 (iv) Is not licensed or certified by the state or the United States government to provide
10 medical or health care services.

11 **23-4.13-3. Privacy.** – The records of a client of a pregnancy resource center may be
12 disclosed only if the client or his or her legal representative requests or consents, in writing, to the
13 release of such information.

14 **23-4.13-4. Penalties.** – A person who violates § 23-4.13-3 shall be guilty of a
15 misdemeanor and upon conviction shall be sentenced to pay a fine of not more than five hundred
16 dollars (\$500) or be imprisoned for not more than one year, or both.

17 **23-4.13-5. Civil remedies.** – Any person injured as a result of a willful violation of § 23-
18 4.13-3 shall have a civil cause of action for compensatory and punitive damages, reasonable
19 attorney fees, and costs.

20 SECTION 2. This act shall take effect upon passage.

=====
LC003811
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY - PREGNANCY CONFIDENTIALITY ACT

1 This act would establish the "Pregnancy Confidentiality Act" which would provide
2 pregnancy counseling and information for those individuals not seeking abortion or contraception
3 services. It would create penalties for the disclosure of client information without written consent.

4 This act would take effect upon passage.

=====
LC003811
=====