

HOUSE BILL NO. 114

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE BY REQUEST

Introduced: 2/5/97

Referred: Health, Education and Social Services

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to health care data and registration of births."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 09.65 is amended by adding a new section to read:

4 **Sec. 09.65.161. Immunity for disclosure of required health care data.** A
5 person who reports health care data required to be reported under AS 18.05 and
6 regulations adopted under that chapter for conditions or diseases of public health
7 significance may not be held liable for the disclosure to the Department of Health and
8 Social Services or for the use of the data by the department.

9 * **Sec. 2.** AS 18.05 is amended by adding a new section to read:

10 **Sec. 18.05.042. Access to health care records.** (a) The department may,
11 during reasonable business hours, inspect health care records maintained by physicians
12 and other health care professionals, hospitals, out-patient clinics, nursing homes, and
13 other facilities or agencies providing health care services to patients that would identify
14 patients or establish characteristics of an identified patient with a condition or disease
15 required to be reported to protect the public health under this chapter and regulations

1 adopted under this chapter.

2 (b) The department may conduct research using health care data reported under
3 (a) of this section. The department may provide data obtained under (a) of this section
4 to other persons for clinical, epidemiological, or other public health research.

5 (c) A record obtained or inspected under this section that identifies a particular
6 individual

7 (1) is confidential;

8 (2) may not be further disclosed to other persons except by the
9 department under (b) of this section; and

10 (3) is not subject to inspection or copying under AS 09.25.110 -
11 09.25.125.

12 * **Sec. 3.** AS 18.50.160(a) is repealed and reenacted to read:

13 (a) A certificate of birth for each live birth that occurs in the state shall be
14 filed with the bureau, as provided in this section, within five days after the birth.
15 When a birth occurs on a moving conveyance within the United States and the child
16 is first removed from the conveyance in this state, the birth shall be registered in this
17 state and the place where the child is first removed shall be considered the place of
18 birth. When a birth occurs on a moving conveyance in international waters,
19 international air space, a foreign country, or a foreign country's air space and the child
20 is first removed from the conveyance in this state, the birth shall be registered in this
21 state but the certificate shall show the actual place of birth if the place can be
22 determined.

23 * **Sec. 4.** AS 18.50.160(b) is repealed and reenacted to read:

24 (b) When a birth occurs in or en route to an institution, the person in charge
25 of the institution or a designated representative of the person in charge of the
26 institution shall obtain the personal data, prepare the certificate, certify that the child
27 was born alive at the place and time and on the date stated either by signature on the
28 certificate or another certification process, including an electronic process, approved
29 by the bureau, and file the certificate as directed in (a) of this section. The physician
30 or other person in attendance shall provide the medical information required by the
31 certificate within 72 hours after the birth.