

1 IN THE HOUSE

BY BANFIELD

2 HOUSE BILL NO. 358

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a registry of disabled children."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 \* Section 1. AS 18.50 is amended by adding new sections to read:

9 Sec. 18.50.285. REGISTRY OF DISABLED CHILDREN. (a) The bureau  
10 shall keep a case registry of disabled children for the purpose of  
11 case finding, establishing follow-up health care procedures including  
12 rehabilitation, providing special education and using the statistical  
13 data gathered for research and administrative functions.

14 (b) The information shall be furnished on forms prescribed by  
15 the department, but no person may be compelled to furnish or consent  
16 to furnishing the information requested concerning his child or ward.  
17 Private and governmental health care organizations, institutions and  
18 individuals may not furnish the information without the written con-  
19 sent of the child's parent or guardian. In the case of a child 14 years  
20 of age or older his written consent shall also be obtained unless his  
21 disability prevents him from giving it.

22 (c) Regulations promulgated by the commissioner of the depart-  
23 ment shall specify the type and extent of the disability to be included  
24 in the registry.

25 Sec. 18.50.315. USE OF REGISTRY OF DISABLED CHILDREN. (a) The  
26 bureau may not use or disclose information furnished it under sec. 285  
27 of this chapter or any resulting findings and conclusions except

28 (1) for the purposes of advancing medical research or medical  
29 education in the interest of improving health and education and

1 reducing morbidity and mortality; and

2 (2) in such a manner that the disclosure precludes the  
3 identification in any manner of the persons whose condition or treat-  
4 ment has been studied.

5 (b) Information, whether oral or written, furnished to an in-  
6 dividual or group for research under (a) of this section, information  
7 contained in the case registry under sec. 285 of this chapter, and  
8 findings, conclusions and records resulting from studies using this in-  
9 formation are privileged communications which may not be used or  
10 received in evidence in any legal proceedings at any time.

11 Sec. 18.50.317. LIABILITY RELATED TO THE REGISTRY OF DISABLED  
12 CHILDREN. Notwithstanding the provisions of sec. 285(b) of this  
13 chapter, no liability for damages or other relief arises against a per-  
14 son, hospital, sanitarium, nursing home, rest home or private or  
15 governmental agency by reason of

16 (1) furnishing the bureau, either orally or in writing, in-  
17 formation, records of interviews, reports, statements or other data;

18 (2) publication of the findings or conclusions of the registry  
19 for the purpose of improving the care of the disabled or advancing  
20 medical research or education; or

21 (3) the release or general publication of a summary of the  
22 findings or conclusions of the case registry.

23 \* Sec. 2. AS 18.50.310(a) is amended to read:

24 (a) To protect the integrity of vital statistics records, to in-  
25 sure their proper use, and to insure the efficient and proper adminis-  
26 tration of the vital statistics system, it is unlawful for a person to  
27 permit inspection of, or to disclose information contained in vital  
28 statistics records, or to copy or issue a copy of all or part of a  
29 record, except as authorized by sec. 315 of this chapter or regulations

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issued under this chapter.