

## **IC 16-38-6**

### **Chapter 6. Chronic Disease Registry**

#### **IC 16-38-6-1**

##### **"Chronic disease"**

Sec. 1. As used in this chapter, "chronic disease" means one (1) of the following conditions:

- (1) Asthma.
- (2) Diabetes.
- (3) Congestive heart failure or coronary heart disease.
- (4) Hypertension.
- (5) Kidney disease.
- (6) A condition that the state department:
  - (A) determines should be included on the registry; and
  - (B) chooses to add to the registry by rule under IC 4-22-2.

*As added by P.L.212-2003, SEC.3. Amended by P.L.13-2004, SEC.2; P.L.48-2005, SEC.2.*

#### **IC 16-38-6-2**

##### **Establishing chronic disease registry**

Sec. 2. The state department, with the cooperation of the office of Medicaid policy and planning, shall establish a chronic disease registry for the purpose of:

- (1) recording chronic disease cases that are diagnosed or treated in Indiana; and
- (2) compiling necessary and appropriate information determined by the state department concerning cases described in subdivision (1) in order to do the following:
  - (A) Conduct epidemiologic and environmental surveys of chronic disease and use appropriate preventive and control measures.
  - (B) Inform citizens regarding programs designed to manage chronic disease.
  - (C) Provide guidance to the office of Medicaid policy and planning to identify and develop cost and clinical measures for use in a program required by IC 12-15-12-19.

*As added by P.L.212-2003, SEC.3.*

#### **IC 16-38-6-3**

##### **Using information compiled by public or private entities for registry**

Sec. 3. The state department shall use information compiled by a public or private entity to the greatest extent possible in the development of a statewide chronic disease registry under this chapter.

*As added by P.L.212-2003, SEC.3.*

#### **IC 16-38-6-4**

##### **Reporting confirmed cases of chronic disease; information used; Medicaid chronic disease data**

Sec. 4. (a) The following persons may report confirmed cases of chronic disease to the chronic disease registry:

- (1) Physicians.
- (2) Hospitals.
- (3) Medical laboratories.
- (4) Public and private third party payers.

(b) A person who reports information to the state chronic disease registry under this section may use:

- (1) information submitted to any other public or private chronic disease registry; or
- (2) information required to be filed with federal, state, or local agencies;

when completing a report under this chapter. However, the state department may require additional, definitive information.

(c) The office of Medicaid policy and planning shall provide data concerning services for chronic diseases reimbursed by the state Medicaid program to the chronic disease registry. The office shall work with the state department to identify the data available and to determine a means to transmit the information to assist the state department in data collection for the chronic disease registry.

*As added by P.L.212-2003, SEC.3. Amended by P.L.13-2004, SEC.3.*

#### **IC 16-38-6-5**

##### **Confidential information**

Sec. 5. Except as provided in sections 6, 7, and 8 of this chapter, information obtained by the state department under this chapter concerning chronic disease patients is confidential and may be used by the state department only for the purposes of this chapter.

*As added by P.L.212-2003, SEC.3.*

#### **IC 16-38-6-6**

##### **Access to confidential information**

Sec. 6. The state department may grant a researcher access to confidential information obtained under this chapter concerning individual chronic disease patients if the researcher who is requesting additional information for research purposes or soliciting the patient's participation in a research project obtains the following:

- (1) First, the oral or written consent of the patient's attending physician.
- (2) Second, the patient's written consent by completing a confidential medical release form.

*As added by P.L.212-2003, SEC.3.*

#### **IC 16-38-6-7**

##### **Releasing confidential information**

Sec. 7. The state department may release confidential information obtained under this chapter concerning individual chronic disease patients to the following:

- (1) The chronic disease registry of another state if the following conditions are met:

- (A) The other state has entered into a reciprocal agreement with the state department.
- (B) The reciprocal agreement under clause (A) states that information that identifies a patient will not be released to any other person without the written consent of the patient.
- (2) Physicians and local health officers for diagnostic and treatment purposes if the following conditions are met:
  - (A) The patient's attending physician gives oral or written consent to the release of the information.
  - (B) The patient gives written consent by completing a confidential medical release form.
- (3) The office of Medicaid policy and planning for purposes related to administering the state Medicaid plan.

*As added by P.L.212-2003, SEC.3.*

### **IC 16-38-6-8**

#### **Immunity**

Sec. 8. A person who reports information for the chronic disease registry under this chapter is immune from any civil or criminal liability that might otherwise be imposed because of the release of confidential information.

*As added by P.L.212-2003, SEC.3.*

### **IC 16-38-6-9**

#### **Releasing epidemiological information**

Sec. 9. This chapter does not prevent the release to any interested person of epidemiological information that does not identify a chronic disease patient.

*As added by P.L.212-2003, SEC.3.*

### **IC 16-38-6-10**

#### **Rules**

Sec. 10. The state department may adopt rules under IC 4-22-2 necessary to carry out this chapter.

*As added by P.L.212-2003, SEC.3.*