

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1110 Session of 2020

INTRODUCED BY K. WARD, PHILLIPS-HILL, COLLETT, REGAN, MARTIN, BAKER, STEFANO, ARGALL, BROOKS, DiSANTO, DINNIMAN, MASTRIANO AND KILLION, APRIL 13, 2020

SENATOR BROOKS, HEALTH AND HUMAN SERVICES, AS AMENDED, APRIL 20, 2020

AN ACT

1 Amending the act of April 23, 1956 (1955 P.L.1510, No.500),
2 entitled "An act providing for the prevention and control of
3 communicable and non-communicable diseases including venereal
4 diseases, fixing responsibility for disease prevention and
5 control, requiring reports of diseases, and authorizing
6 treatment of venereal diseases, and providing for premarital
7 and prenatal blood tests; amending, revising and
8 consolidating the laws relating thereto; and repealing
9 certain acts," further providing for DEFINITIONS AND FOR <--
10 confidentiality of reports and records.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 ~~Section 1. Section 15 of the act of April 23, 1956 (1955 <--
14 P.L.1510, No.500), known as the Disease Prevention and Control
15 Law of 1955, is amended to read:~~

16 SECTION 1. SECTION 2 OF THE ACT OF APRIL 23, 1956 (1955 <--
17 P.L.1510, NO.500), KNOWN AS THE DISEASE PREVENTION AND CONTROL
18 LAW OF 1955, IS AMENDED BY ADDING A DEFINITION TO READ

19 SECTION 2. DEFINITIONS.--

20 THE FOLLOWING TERMS, WHENEVER USED IN THIS ACT, HAVE THE
21 MEANINGS INDICATED IN THIS SECTION, EXCEPT WHERE THE CONTEXT

1 INDICATES A CLEARLY DIFFERENT MEANING:

2 * * *

3 (M) INDIVIDUALLY IDENTIFIABLE HEALTH INFORMATION.
4 INFORMATION, WHETHER ORAL, WRITTEN, ELECTRONIC, VISUAL,
5 PICTORIAL, PHYSICAL OR IN ANY OTHER FORM, THAT RELATES TO AN
6 INDIVIDUAL'S PAST, PRESENT OR FUTURE PHYSICAL HEALTH STATUS,
7 CONDITION, TREATMENT, SERVICE, PRODUCTS PURCHASED OR PROVISION
8 OF CARE AND:

9 (1) REVEALS THE IDENTITY OF THE INDIVIDUAL WHOSE HEALTH CARE
10 IS THE SUBJECT OF THE INFORMATION; OR

11 (2) SERVES AS A REASONABLE BASIS TO REVEAL THE IDENTITY OF
12 THE INDIVIDUAL WHOSE HEALTH CARE IS THE SUBJECT OF THE
13 INFORMATION, ALONE OR IN CONJUNCTION WITH OTHER INFORMATION THAT
14 IS OR REASONABLY SHOULD BE KNOWN TO BE AVAILABLE.

15 SECTION 1.1. SECTION 15 OF THE ACT IS AMENDED TO READ:

16 Section 15. Confidentiality of Reports and Records.--

17 (a) Disclosures. State and local health authorities may not <--
18 disclose reports of diseases, any records maintained as a result
19 of any action taken in consequence of such reports, or any other
20 records maintained pursuant to this act or any regulations, to
21 any person who is not a member of the department or of a local
22 board or department of health, except [where necessary to carry
23 out the purposes of this act.] as follows:

24 (1) Where necessary to carry out the purposes of this act.

25 ~~(2) The department shall release to the governing body of a <--~~
26 ~~county and the county emergency management coordinator the~~
27 ~~municipality in which there has been a confirmed case of a~~
28 ~~communicable or reportable disease within the past twenty four~~
29 ~~hours.~~

30 (2) UNDER A PROCLAMATION OF DISASTER EMERGENCY ISSUED BY THE <--

1 GOVERNOR THAT IS BASED UPON A COMMUNICABLE DISEASE, THE
2 SECRETARY OR LOCAL HEALTH AUTHORITY SHALL RELEASE, WITHIN 24
3 HOURS OF RECEIVING INFORMATION OF A CONFIRMED CASE OF A
4 COMMUNICABLE DISEASE, INDIVIDUALLY IDENTIFIABLE HEALTH
5 INFORMATION TO 911 CENTERS, LAW ENFORCEMENT OFFICERS, FIRE
6 DEPARTMENT PERSONNEL AND EMERGENCY MEDICAL SERVICES PERSONNEL,
7 IN EACH COUNTY OF THIS COMMONWEALTH. 911 CENTERS, LAW
8 ENFORCEMENT OFFICERS, FIRE DEPARTMENT PERSONNEL AND EMERGENCY
9 MEDICAL SERVICES PERSONNEL SHALL FOLLOW ALL APPLICABLE FEDERAL
10 AND STATE LAWS, REGULATIONS AND CONFIDENTIALITY STANDARDS.

11 (b) Research.—State and local health authorities may permit <--
12 the use of data contained in disease reports and other records,
13 maintained pursuant to this act, or any regulation, for research
14 purposes, subject to strict supervision by the health
15 authorities to insure that the use of the reports and records is
16 limited to the specific research purposes.

17 Section 2. This act shall take effect immediately.