

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, KILLION AND ARNOLD, APRIL 13, 2020

AS AMENDED ON THIRD CONSIDERATION, APRIL 28, 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 2 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 by adding a definition to read

16 Section 2. Definitions.--

17 The following terms, whenever used in this act, have the
18 meanings indicated in this section, except where the context
19 indicates a clearly different meaning:

20 \* \* \*

21 (m) Individually identifiable health information.

1 Information, whether oral, written, electronic, visual,  
2 pictorial, physical or in any other form, that relates to an  
3 individual's past, present or future physical health status,  
4 condition, treatment, service, products purchased or provision  
5 of care and:

6 (1) reveals the identity of the individual whose health care  
7 is the subject of the information; or

8 (2) serves as a reasonable basis to reveal the identity of  
9 the individual whose health care is the subject of the  
10 information, alone or in conjunction with other information that  
11 is or reasonably should be known to be available.

12 Section 1.1. Section 15 of the act is amended to read:

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

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

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

22 (2) Under a proclamation of disaster emergency issued by the  
23 Governor that is based upon a communicable disease, the  
24 secretary or local health authority shall release, within 24  
25 hours of receiving information of a confirmed case of a  
26 communicable disease, individually identifiable health  
27 information RELATED TO THE COMMUNICABLE DISEASE to 911 centers, <--  
28 law enforcement officers, fire department personnel, CORONERS <--  
29 and emergency medical services personnel, in each county of this  
30 Commonwealth. 911 centers, law enforcement officers, fire

1 department personnel, CORONERS and emergency medical services <--  
2 personnel shall follow all applicable Federal and State laws,  
3 regulations and confidentiality standards.

4 (b) State and local health authorities may permit the use of  
5 data contained in disease reports and other records, maintained  
6 pursuant to this act, or any regulation, for research purposes,  
7 subject to strict supervision by the health authorities to  
8 insure that the use of the reports and records is limited to the  
9 specific research purposes.

10 Section 2. This act shall take effect immediately.