Unofficial Copy

24

25 hospitalization; [and]

2000 Regular Session 0lr1311

By: Senator Della Introduced and read first time: February 4, 2000 Assigned to: Finance A BILL ENTITLED 1 AN ACT concerning 2 Maryland Cancer Registry - Deaths Caused by Cancer 3 FOR the purpose of requiring certain facilities and physicians to report to the Secretary of the Department of Health and Mental Hygiene certain information 4 5 on deaths caused by cancer; defining certain terms; and generally relating to the 6 Maryland Cancer Registry. 7 BY repealing and reenacting, with amendments, Article - Health - General 8 9 **Section 18-204** 10 Annotated Code of Maryland (1994 Replacement Volume and 1999 Supplement) 11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 12 13 MARYLAND, That the Laws of Maryland read as follows: **Article - Health - General** 14 15 18-204. In this section the following words have the meanings indicated. 16 (a) (1) "Cancer report" means a 1-time abstract of the medical record of a 17 (2) 18 patient diagnosed or treated for cancer which contains: 19 (i) Reasonably obtained patient demographic information, 20 including risk factors; 21 Relevant information on the: (ii) 22 1. Initial diagnosis; 23 2. Initial treatment;

Extent of the disease by the end of the first

3.

SENATE BILL 487

| | information is available to t registry; and | 4. he reporting | Extent of the disease within 2 months of diagnosis if the facility and the reporting facility has a tumor |
|----------|--|------------------------------|--|
| 4 | | 5. | DEATH OF A PATIENT CAUSED BY CANCER; AND |
| 5 | (iii) | Facility | and other provider identification information. |
| 6 7 | (3) "Freestanding ambulatory care facility" has the meaning stated in § 19-3B-01 of this article. | | |
| 10 11 | (b) (1) Each hospital which has care of a patient with cancer, each freestanding laboratory, freestanding ambulatory care facility, or therapeutic radiological center which has care of or has diagnosed cancer for a nonhospitalized patient, and each physician who has care of or has diagnosed cancer for a nonhospitalized patient not otherwise reported shall: | | |
| 13 14 | (i) the Secretary provides or in | 1. a computer | Submit a cancer report to the Secretary, on the form that rized file; |
| 15 16 | Secretary, at the facility the | 2. information | Make available to the Secretary, or an agent of the n necessary to compile a cancer report; or |
| 19 | source for a cancer patient | who has bee | Enter into an agreement with a hospital or other facility or yland Cancer Registry to act as the reporting on referred to or from that facility, or reported reening, diagnosis, or treatment; and |
| 23 | | he Secretary [or] admitte | e July 1, 1993, submit a cancer report in a computerized y, or an agent of the Secretary, for all patients ed to a facility for cancer, OR WHO HAVE DIED quarter. |
| | the Secretary, may inspect | upon reason | ance with this section, the Secretary, or an agent of able notice a representative sample of the treated, or admitted for cancer at the facility. |
| 28 29 | (3) (i) confidential and subject to | | tion obtained under this subsection shall be title 1 of this article. |
| 32 | | ency perfor etary determ | osection does not apply to a disclosure by the Secretary ming its lawful duties pursuant to State or innes that the agency to whom the information ciality of the disclosure. |
| | (iii) of this article, but is subject of this article. | | r report is not a medical record under Title 4, Subtitle 3 identiality requirements of Title 4, Subtitle 1 |

SENATE BILL 487

- 1 (4) Each hospital, freestanding laboratory, freestanding ambulatory care
- 2 facility, therapeutic radiological center, or physician who in good faith submits a
- 3 cancer report to the Secretary is not liable in any cause of action arising from the
- 4 submission of the report.
- 5 (5) The Secretary, after consultation with the Cancer Registry Advisory
- 6 Committee, the Maryland Hospital Association, and representatives of freestanding
- 7 laboratories and therapeutic radiological centers, shall adopt regulations to
- 8 implement the requirements of this section.
- 9 (6) The Secretary, in accordance with § 2-1246 of the State Government
- 10 Article, shall submit an annual report to the Governor and General Assembly on the
- 11 activities of the cancer registry, including utilization of cancer registry data.
- 12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 13 October 1, 2000.