



BILL SUMMARY

Mental Health Information Disclosure SF 2144

Status of Bill: House Calendar
Committee: Human Resources (passed 20-0)
Lead Democrats: Rep. Anderson
Floor Manager: Rep Fry
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March 15, 2016

Background

Currently, Iowa law is more restrictive on the disclosure of a patient's mental health information compared to federal Health Insurance Portability and Accountability Act (HIPAA). The information cannot be shared without the patient's or under certain limited situations.

HIPAA allows for a patient's mental health information to be treated like physical health information. It can be shared between mental health professionals and non-mental health professional as part of care coordination.

Throughout the interim, many stakeholders, including representatives of hospitals, physicians, and advocates met with the goal of changing Iowa's law to more align with HIPAA.

Summary

The bill affects Chapters 125, Substance Related Disorders, and Chapter 228, Disclosure of Mental Health and Psychological Information.

The bill references the current definition of care coordination as the management of all aspects of a patient's care to improve health care quality, which is defined in Chapter 135.154 and 135D.2.

For Chapter 125, new language is added so that except for the provision in this Chapter, a patient's records may be disclosed only to medical personnel in a medical emergency without their consent, or for the purpose of care coordination, if it not already restricted by federal law or regulation.

For Chapter 228, new language is added so that, a patient's mental health information and records cannot be disclosed, except for the provisions in current law, or for the purpose of care coordination, if it not already restricted by federal law or regulation.

These provisions take effect upon enactment.

The bill also establishes a conditional enactment of and transfer of the definition of care coordination from Chapter 135.154 to Chapter 135D.2. This assumes the eventual transfer of the authority of the Iowa Health Information Network from the Iowa Department of Public Health to a non-profit entity. Upon the transfer, Chapter 135.154 is repealed.