

By: Representative Reed

To: Public Health and Human Services

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1367

1 AN ACT TO AMEND SECTION 41-63-4, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT PERSONS OR ENTITIES THAT ARE REQUIRED TO PROVIDE
3 INFORMATION TO THE REGISTRY PROGRAM OF THE CONDITION AND TREATMENT
4 OF PERSONS SEEKING MEDICAL CARE THAT DOES NOT PROVIDE THE
5 INFORMATION AS REQUIRED MAY BE ASSESSED A PENALTY BY THE STATE
6 DEPARTMENT OF HEALTH; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** Section 41-63-4, Mississippi Code of 1972, is
9 amended as follows:

10 41-63-4. (1) In order to improve the quality and efficiency
11 of medical care, the State Department of Health shall design and
12 establish a registry program of the condition and treatment of
13 persons seeking medical care that will provide the following:

14 (a) Information in a central data bank system of
15 accurate, precise and current information regarding the diagnostic
16 services and therapeutic services for medical diagnosis, treatment
17 and care of injured, disabled or sick persons, or rehabilitation
18 services for the rehabilitation of injured, disabled or sick
19 persons provided in an acute care hospital as that term is defined
20 in Section 41-7-173(h)(i);

21 (b) Collection of that data;

22 (c) Dissemination of that data; and

23 (d) Analysis of that data for the purposes of the
24 evaluation and improvement of the quality and efficiency of
25 medical care provided in a health care facility.

26 (2) The State Board of Health shall adopt rules, regulations
27 and procedures to govern the operation of the registry program and
28 to carry out the intent of this section.

29 (3) The State Department of Health shall specify the types
30 of information to be provided to the registry.

31 (4) Any person or entity that is required to provide
32 information to the registry that does not provide the information
33 as required may be assessed a penalty by the State Department of
34 Health in an amount not exceeding Five Hundred Dollars (\$500.00)
35 for each person or entity, as determined by the department.

36 (5) Information collected and analyzed by the State
37 Department of Health under this section shall be placed in a
38 central health data registry system maintained by the Mississippi
39 Hospital Association, acting under the direction of the State
40 Department of Health.

41 (6) The information, data and records shall not divulge the
42 identity of any patient.

43 (7) Notwithstanding any conflicting statute, court rule or
44 other law, the data maintained in the registry shall be
45 confidential and shall not be subject to discovery or introduction
46 into evidence in any civil action. However, information and data
47 otherwise discoverable or admissible from original sources are not
48 to be construed as immune from discovery or use in any civil
49 action merely because they were provided to the registry.

50 **SECTION 2.** This act shall take effect and be in force from
51 and after July 1, 2004.