

By: Representative Summers

To: Public Health and Human Services

HOUSE BILL NO. 830

1 AN ACT TO AMEND SECTION 41-112-1, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE THE MATERNAL MORTALITY REVIEW COMMITTEE TO INCLUDE
3 RECOMMENDATIONS ON HOW TO DECREASE RACIAL DISPARITIES IN MATERNAL
4 HEALTH CARE REFLECTED IN DATA ON MATERNAL MORTALITY DEATHS IN ITS
5 ANNUAL REPORT TO THE LEGISLATURE; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 41-112-1, Mississippi Code of 1972, is
8 amended as follows:

9 41-112-1. (1) The State Department of Health is authorized
10 to establish the Maternal Mortality Review Committee to review
11 maternal deaths and establish strategies to prevent maternal
12 deaths. The committee shall be multidisciplinary and be composed
13 of such members as deemed appropriate by the department. The
14 committee may develop subcommittees to carry out the purposes of
15 the committee.

16 (2) The chairman of the committee shall be elected annually
17 by the committee membership. The committee shall develop and
18 implement such procedures and policies necessary for its
19 operation, including providing the necessary data, information and



20 resources to ensure successful completion of the ongoing review
21 required by this section. The committee shall be assigned to the
22 State Department of Health for administrative purposes, and the
23 department shall designate staff to assist the committee.

24 (3) The committee shall submit a report annually to the
25 Chairmen of the House Public Health and Human Services Committee
26 and the Senate Public Health and Welfare Committee on or before
27 December 1. The report shall include the numbers, causes and
28 relevant demographic information on maternal mortality deaths in
29 Mississippi, and appropriate recommendations to the Legislature on
30 how to most effectively direct state resources to decrease
31 maternal mortality and racial disparities in maternal health care
32 which are reflected in the data on maternal mortality deaths in
33 Mississippi. Data for the committee's review and reporting shall
34 be provided to the committee, upon the request of the committee,
35 by the State Medical Examiner's Office, State Department of
36 Health, Department of Human Services, medical examiners, coroners,
37 health care providers, law enforcement agencies, any other
38 agencies or officials having information that is necessary for the
39 committee to carry out its duties under this section.

40 (4) Physicians licensed under Section 73-25-1 et seq.,
41 hospitals licensed under Section 41-9-1 et seq., and pharmacies
42 licensed under Section 73-21-69 et seq. * * * shall provide
43 reasonable access to the committee to all relevant medical records
44 associated with a case under review by the committee.



45 (5) A physician, hospital or pharmacy providing access to
46 medical records under this section shall not be held liable for
47 civil damages or be subject to any criminal or disciplinary action
48 for good faith efforts in providing such records.

49 (6) Information, records, reports, statements, notes,
50 memoranda or other data collected under this section shall not be
51 admissible as evidence in any action of any kind in any court or
52 before any other tribunal, board, agency or person. Such
53 information, records, reports, statements, notes, memoranda or
54 other data shall not be exhibited nor their contents disclosed in
55 any way, in whole or in part, by any officer or representative of
56 the department or any other person, except as may be necessary for
57 the purpose of furthering the review of the committee of the case
58 to which they relate. No person participating in such review
59 shall disclose, in any manner, the information so obtained except
60 in strict conformity with such review project.

61 (7) All information, records of interviews, written reports,
62 statements, notes, memoranda or other data obtained by the
63 department, the committee, and other persons, agencies or
64 organizations so authorized by the department under this section
65 shall be confidential.

66 (8) All proceedings and activities of the committee under
67 this section, opinions of members of the committee formed as a
68 result of those proceedings and activities, and records obtained,
69 created, or maintained under this section, including records of



70 interviews, written reports and statements procured by the
71 department or any other person, agency or organization acting
72 jointly or under contract with the department in connection with
73 the requirements of this section, shall be confidential and shall
74 not be subject to the Mississippi Public Records Act of 1983,
75 Sections 25-61-1 through 25-61-17, relating to open records, or
76 subject to subpoena, discovery or introduction into evidence in
77 any civil or criminal proceeding; however, nothing in this section
78 shall be construed to limit or restrict the right to discover or
79 use in any civil or criminal proceeding anything that is available
80 from another source and independently of the proceedings of the
81 committee.

82 (9) Members of the committee shall not be questioned in any
83 civil or criminal proceeding regarding the information presented
84 in or opinions formed as a result of a meeting or communication of
85 the committee; however, nothing in this section shall be construed
86 to prevent a member of the committee from testifying to
87 information obtained independently of the proceedings of the
88 committee or which is public information.

89 (10) Reports of aggregated, nonindividually identifiable
90 data shall be compiled on a routine basis for distribution in an
91 effort to further study the causes and problems associated with
92 maternal deaths. Reports shall be distributed to the Legislature,
93 health care providers and facilities, key government agencies, and
94 others necessary to reduce the maternal death rate.



95 (11) The provisions of this section, including the
96 confidentiality provided in subsections (6) through (8), shall be
97 deemed part of the substantive law of this state enacted for the
98 expressed legislative purpose of promoting quality patient care
99 through medical peer review activities.

100 **SECTION 2.** This act shall take effect and be in force from
101 and after July 1, 2021.

