

ARTICLE 2.

ALABAMA STATEWIDE CANCER REGISTRY

HISTORY**Effective date:**

This article became effective without the Governor's signature under §125 of the constitution on June 29, 1995.

§ 22-13-30. Short title.

This article shall be known and may be cited as the "Alabama Statewide Cancer Registry Act." (Acts 1995, No. 95-275, p. 485, § 1.)

§ 22-13-31. Alabama Statewide Cancer Registry established; reporting of confirmed cancer cases to State Health Department.

- a) There is hereby established within the Department of Public Health the Alabama Statewide Cancer Registry for the purpose of providing accurate and up-to-date information about cancer in Alabama and facilitating the evaluation and improvement of cancer prevention, screening, diagnosis, therapy, rehabilitation, and community care activities for the citizens of Alabama. The State Committee of Public Health shall adopt rules necessary to effect the purposes of this article, including the data to be reported, and the effective date after which reporting shall be required. For the purposes of this article, cancer means all malignant neoplasms, regardless of the tissue of origin, including malignant lymphoma, Hodgkin's disease, and leukemia, but excluding localized basal cell and squamous cell carcinoma of the skin and carcinoma in situ of the cervix.
- b) All cases of confirmed cancer diagnosed or treated in the state are to be reported to the State Health Department. For the purposes of this article, confirmed cancer means the best evidence available for determining the nature of malignant neoplasms.
- c) The State Health Officer shall establish a training program to include instruction on the manner in which data are to be reported and shall be available to personnel of participating health care facilities. A quality control program for cancer data shall be instituted to ensure the quality of data submitted. (Acts 1995, No. 95-275, p. 485, § 2.)

§ 22-13-32. Cases of confirmed cancer to be reported within 180 days of admission or diagnosis; further treatment or information to be provided upon request by State Health Officer.

- a) Each case of confirmed cancer shall be reported within 180 days of admission or diagnosis in the manner prescribed by rule. Reports are to be submitted on a monthly basis.
- b) Any further demographic, diagnostic, treatment, or follow-up information shall be provided upon request by the State Health Officer concerning any person now or formerly receiving services, or diagnosed as having or having had a malignant neoplasm. The State Health Officer or his or her authorized representative shall be permitted access to all records, including death certificates, which should identify confirmed cases of cancer or would establish characteristics of the cancer, treatment of the cancer, or medical status of any identified cancer patient. (Acts 1995, No. 95-275, p. 485, § 3.)

§ 22-13-33. Information to be confidential.

- a) All information reported pursuant to this article shall be confidential and privileged.
- b) The State Health Officer shall take strict measures to ensure that all identifying information is kept confidential, except as otherwise provided in this article.
- c) Cancer related information may be provided to researchers or research institutions, or both, in connection with cancer morbidity and mortality studies upon appropriate review by the State Health Officer. All identifying information regarding an individual patient, health care provider, or health care facility contained in records of interviews, written reports, and statements procured by the State Health Officer or by any other person, agency, or organization acting jointly with the State Health Officer in connection with these studies shall be confidential and privileged and shall be used solely for the purposes of the study. Nothing in this article shall prevent the State Health Officer from publishing statistical compilations relating to morbidity and mortality studies which do not identify individual cases or sources of information.
- d) Information collected under this article is not subject to disclosure under Section 36-12-40. (Acts 1995, No. 95-275, p. 485, § 4.)

§ 22-13-34. State Health Officer authorized to enter into agreements to exchange confidential information with other cancer registries and to furnish confidential information to other states, cancer registries, etc.

- a) The State Health Officer may enter into agreements to exchange confidential information with other cancer registries to obtain complete reports of Alabama residents diagnosed or treated in other states and to provide information to other states regarding their residents diagnosed or treated in Alabama.
- b) The State Health Officer may furnish confidential information to other states' cancer registries, federal cancer control agencies, or health researchers in

order to collaborate in a national cancer registry or to collaborate in cancer control and prevention research studies. (Acts 1995, No. 95-275, p. 485, § 5.)

§ 22-13-35. Claims against state or individuals that are in compliance with article; licenses not denied or revoked for disclosure of information or failure to disclose; disclosure due to gross negligence or willful misconduct.

- a) No person shall have any claim or cause of action against the State of Alabama, or its political subdivisions, or any individual arising out of any acts or omissions which occurred under the provisions of this article, if the state, political subdivisions or individual is in compliance with this article.
- b) No person shall have any claim or cause of action against any person, or the employer or employee of any person, who participates in good faith in the reporting or receiving, or both, of cancer registry data or data for cancer morbidity or mortality studies in accordance with this article.
- c) No license of a health care facility or health care provider may be denied, suspended, or revoked for the good faith disclosure of confidential or privileged information in the reporting of cancer registry data or data for cancer morbidity or mortality studies in accordance with this article.
- d) No license of a health care facility or health care provider may be denied, suspended, or revoked for the failure to disclose, confidential or privileged information in the reporting of cancer registry data or data for cancer morbidity or mortality studies.
- e) Nothing in this article shall be construed to apply to the unauthorized disclosure of confidential or privileged information when that disclosure is due to gross negligence or wanton or willful misconduct. (Acts 1995, No. 95-275, p. 485, § 6.)