

Amendment to HB 582-FN

1 Amend the introductory paragraph of RSA 126:25-a, II(a) as inserted by section 2 of the bill by  
2 replacing it with the following:

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4 II.(a) The division shall collect non-identifying data on induced terminations of pregnancy  
5 occurring within the state of New Hampshire using the New Hampshire Vital Record Information  
6 Network (NHVRIN) electronic system or any modified or subsequent replacement electronic system  
7 under the jurisdiction of the division. The division shall bear all responsibility for securely  
8 maintaining the confidentiality of these records. The data shall be stored using only the confidential  
9 number of the health care provider assigned by the division to the provider prior to the submission of  
10 the reporting form. Only aggregated and personally non-identifiable data may be released by the  
11 division to the department for its public health statistics reporting. Provider names or patient  
12 personal identifying data shall not be stored in the division or department data systems. No data  
13 shall be released that may personally identify either the health care provider who performed an  
14 induced termination of pregnancy or the patient on whom it was performed, nor any elements of  
15 data that would have the capacity to enable by deduction to personally identify either the health care  
16 provider, the patient, or the patient's specific residence location within the state.

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18 Amend the introductory paragraph of RSA 126:25-a, II(e) as inserted by section 2 of the bill by  
19 replacing it with the following:

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21 (e) The electronic reporting form provided by the division to providers and facilities  
22 performing the procedure shall include the following data, relevant to current or as amended CDC  
23 data specifications, unless any of such specifications are inconsistent or contrary to New Hampshire  
24 law, in which case those elements shall be omitted from data gathering. Patients asked to provide  
25 personal background information at the provider level may or may not do so on a voluntary basis  
26 with the understanding that such information is anonymized and useful for health statistics and  
27 understanding the extent of induced pregnancy termination in New Hampshire and across the  
28 country:

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30 Amend RSA 126:28, IV(b) as inserted by section 3 of the bill by replacing it with the following:

31

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1 (b) In preparing this report, the department of health and human services shall obtain,  
2 review, and utilize relevant data from the division's New Hampshire vital records information  
3 network (NHVRIN) system, as made or modified to provide such data, and from any other available  
4 resources, including statistical data from the insurance department, and shall publish aggregate  
5 results on the New Hampshire health and human services data portal, including updates thereto or  
6 revisions thereof, and provide in annual reporting to the national Centers for Disease Control and  
7 Prevention (CDC). No data shall be released by the department that may personally identify either  
8 the health care provider who performed an induced termination of pregnancy or the patient on whom  
9 it was performed, nor any elements of data that would have the capacity to personally identify either  
10 the healthcare provider, the patient, or the patient's specific residence location within the state.

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12 Amend the bill by replacing all after section 3 with the following:

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14 4 New Paragraph; Exemption to Access Governmental Records and Meetings. Amend RSA 91-  
15 A:5 by inserting after paragraph XII the following new paragraph:

16 XIII. Any data collected by the department pursuant to RSA 126:25 that may personally  
17 identify either the health care provider who performs an induced termination of pregnancy or the  
18 patient on whom it was performed shall be excluded from the exemption under RSA 126:25-a.

19 5 Disclosure of Information from Vital Records. Amend RSA 126:24-d to read as follows:

20 126:24-d Disclosure of Information From Vital Records. All protected health information  
21 possessed by the department shall be considered confidential, except that the commissioner shall be  
22 authorized to provide *only anonymized* vital record information to institutions and individuals both  
23 within and outside of the department who demonstrate a need for such information for the purpose  
24 of conducting health-related research. Any such release shall be conditioned upon the  
25 understanding that once the health-related research is complete that all information provided will be  
26 returned to the department or destroyed. All releases of information shall be consistent with the  
27 federal Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 (HIPAA)  
28 and regulations promulgated thereunder by the United States Department of Health and Human  
29 Services (45 C.F.R. Part 160 and Part 164). This shall include the requirement that all proposed  
30 releases of vital records information to institutions and individuals both within and outside the  
31 department for the purposes of health-related research be reviewed and approved by the board,  
32 under RSA 126:24-e, before the requested information is released.

33 6 Effective Date. This act shall take effect upon its passage.