

By Mr. Lynch, a petition (accompanied by bill, Senate, No. 511) of Stephen F. Lynch, Kathleen M. Teahan, Martin J. Walsh, Francis "Mickey" Roche, other members of the General Court, and Mary Jeanette Murray for legislation to establish a statewide asthma incidence registry. Health Care.

The Commonwealth of Massachusetts

In the Year Two Thousand and One.

AN ACT TO ESTABLISH A STATEWIDE ASTHMA INCIDENCE REGISTRY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 111 of the General Laws is hereby
2 amended by inserting after section 111C, as appearing in the 1998
3 Official Edition, the following section:—

4 Section 111D. The department shall establish a registry to
5 record incidences of asthma that occur in residents of the com-
6 monwealth, and such information concerning these cases as it
7 shall deem necessary and appropriate. The information contained
8 in said registry shall be used by the department's bureau of envi-
9 ronmental health assessment in order to conduct an annual assess-
10 ment and epidemiological survey of asthma and to recommend
11 and implement appropriate preventive and control measures based
12 on these assessments.

13 The commissioner shall require the reporting of cases of
14 asthma and the submission of such specified additional informa-
15 tion on reported cases or control populations within 90 days of the
16 report/occurrence by hospitals, health clinics, community health
17 centers, emergency medical services, physicians and others, as he
18 or she deems necessary and appropriate for the recognition, pre-
19 vention, and control of asthma.

20 The department shall, subject to appropriation, maintain com-
21 prehensive records of all reports submitted pursuant to this
22 section. Such reports shall be confidential in accordance with
23 Section 70 of Chapter 111 of the Massachusetts General Laws and

24 shall be released by the department, only upon written request of
25 the patient, or his guardian, executor, attorney, or other person
26 designated by said subject in writing. Such reports and records or
27 information contained therein, may also be released by the depart-
28 ment to persons authorized by the commissioner to conduct
29 research studies or to other persons, but no such studies shall
30 identify the subjects of said reports or records.

31 Based upon the information provided by said registry, the
32 Massachusetts Department of Public Health shall provide and dis-
33 seminate asthma related information which shall include, but not
34 be limited to geographic patterns or trends in the incidence of
35 asthma in the Commonwealth, screening and testing methods, pre-
36 ventive measures, and an analysis of the possible effects of envi-
37 ronmental factors. Said registry shall provide and disseminate
38 such information through means including but not limited to
39 establishing a toll-free telephone information line, providing
40 written materials to hospitals and health care facilities and pub-
41 lishing on the internet.

42 Nothing in this section shall be construed to compel any indi-
43 vidual to submit to medical or departmental examination or super-
44 vision.

45 The department shall make such rules and regulations as are
46 necessary to implement the provisions of this section pursuant to
47 Chapter 30A of the Massachusetts General Laws.

1 SECTION 2. The department of public health shall establish the
2 incidence registry to record cases of asthma and promulgate neces-
3 sary rules and regulations as are provided for in section one of this
4 act prior to July 1, 2002. The interval between the effective date of
5 this act and the implementation shall be devoted to planning and
6 identification of resources for the asthma incidence registry.