

VIRGINIA ACTS OF ASSEMBLY -- 2000 SESSION

CHAPTER 74

An Act to amend and reenact § 32.1-71 of the Code of Virginia and to amend the Code of Virginia by adding in Article 9 of Chapter 2 of Title 32.1 sections numbered 32.1-70.2 and 32.1-71.01, relating to the statewide cancer registry; civil penalties.

[S 575]

Approved March 10, 2000

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-71 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Article 9 of Chapter 2 of Title 32.1 sections numbered 32.1-70.2 and 32.1-71.01 as follows:

§ 32.1-70.2. Collection of cancer case information by the Commissioner.

A. Using such funds as may be appropriated therefor, the Commissioner or his designee may perform on-site data collection of the records of patients having malignant tumors or cancers at those consenting hospitals, clinics, independent pathology laboratories and physician offices required to report information of such patients pursuant to the reporting requirements of § 32.1-70, in order to ensure the completeness and accuracy of the statewide cancer registry.

B. The selection criteria for determining which consenting hospitals, clinics, independent pathology laboratories and physician offices may be subject to on-site data collection under the provisions of this section shall include, but shall not be limited to: (i) expected annual number of cancer case reports, (ii) historical completeness and accuracy of reporting rates, and (iii) whether the facility maintains its own cancer registry.

C. The Board of Health shall promulgate regulations necessary to implement the provisions of this section.

§ 32.1-71. Confidential nature of information supplied; publication; reciprocal data-sharing agreements.

A. The Commissioner and all persons to whom information is submitted in accordance with § 32.1-70 shall keep such information confidential. Except as authorized by the Commissioner in accordance with the provisions of § 32.1-41, no ~~publication~~ release of any such information shall be made except in the form of statistical or other studies which do not identify individual cases.

B. The Commissioner may enter into reciprocal data-sharing agreements with other cancer registries for the exchange of information. Upon the provision of satisfactory assurances for the preservation of the confidentiality of such information, patient-identifying information may be exchanged with other cancer registries which have entered into reciprocal data-sharing agreements with the Commissioner.

§ 32.1-71.01. Penalties for unauthorized use of statewide cancer registry.

In addition to the remedies provided in § 32.1-27, any person who uses, discloses or releases data maintained in the statewide cancer registry in violation of § 32.1-71 shall be subject, in the discretion of the court, to a civil penalty not to exceed \$25,000 for each violation, which shall be paid to the general fund.