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**SENATE BILL NO. 575**

Senate Amendments in [ ] — February 7, 2000

*A BILL 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.*

Patrons—Schrock, Bolling and Lambert; Delegates: Brink, DeBoer, Diamonstein, Hamilton, Melvin and Morgan

Referred to Committee on Education and Health

**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. ~~No publication~~ Except as authorized by the Commissioner in accordance with the provisions of § 32.1-41, no 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.*

ENGROSSED

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