

2020 SPECIAL SESSION I

INTRODUCED

20200653D

SENATE BILL NO. 5090

Offered August 18, 2020

Prefiled August 18, 2020

A BILL to amend and reenact §§ 32.1-23 and 32.1-41 of the Code of Virginia, relating to Commissioner of Health; publication of information about certain communicable diseases; COVID-19 progress benchmarks; emergency.

Patrons—Dunnavant and Ruff

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-23 and 32.1-41 of the Code of Virginia are amended and reenacted as follows:

§ 32.1-23. Publication of information.

A. The Commissioner may provide for the publication and distribution of such information as may contribute to the preservation of the public health and the prevention of disease.

B. The Commissioner shall establish, maintain and publicize a toll-free number to provide resource and referral information on pharmaceutical companies' free and discount drug programs for persons who demonstrate financial hardship or otherwise meet program eligibility criteria. Such information shall include, but not be limited to, available drugs, participating pharmaceutical companies, and application procedures for each of the pharmaceutical companies and dispensing methods. Such information shall also include the locations of various Pharmacy Connect programs accessible by that person. The Commissioner may contract with one or more public or private organizations to administer this resource and referral program.

C. Upon the declaration of a public health emergency related to a communicable disease, the Commissioner shall make available to the public on a website maintained by the Department information about confirmed cases of the communicable disease among the total population of the Commonwealth and separate information about total confirmed cases of the communicable disease among the general population of the Commonwealth displayed in comparison to total confirmed cases of the communicable disease among persons living in confined spaces within the Commonwealth. For purposes of this subsection, "confined spaces" shall mean nursing homes, jails and prisons, and group homes. Additionally, the information related to persons living in confined spaces shall include separate information about total confirmed cases of the communicable disease in each type of confined space as defined in this subsection. The Commissioner shall also publish confirmed cases of the communicable disease by age group in increments of 10 years. The publication of information required by this subsection shall occur weekly throughout the declared public health emergency.

§ 32.1-41. Anonymity of patients and practitioners to be preserved in use of medical records.

The Commissioner or his designee shall preserve the anonymity of each patient and practitioner of the healing arts whose records are examined pursuant to § 32.1-40 except that the Commissioner, in his sole discretion, may divulge the identity of such patients and practitioners if pertinent to an investigation, research or study. Any person to whom such identities are divulged shall preserve their anonymity.

Nothing in this section shall prohibit the release of information regarding the number of confirmed cases of a communicable disease in nursing homes, jails and prisons, and group homes in the Commonwealth when a public health emergency related to such communicable disease has been declared, in accordance with subsection C of § 32.1-23.

2. That the Commissioner of Health shall develop and make available to the public on a website maintained by the Department of Health COVID-19 pandemic progress benchmarks that include progress benchmarks for percent positivity rates, percent ventilator utilization, percent intensive care unit utilization by COVID-19 patients, and other variables as deemed appropriate.

3. That an emergency exists and this act is in force from its passage.

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