

HOUSE BILL No. 2573 REVIEW
Prepared by Norm Furse, Revisor's Office

Background: This bill relates to the study and investigation of the death of any woman from any cause while pregnant or within one calendar year from the end of the pregnancy. This bill is an amendment to an existing statute with the new language commencing on p. 1, line 13 and running through p. 3, line 29.

Section 1, subsection (b) authorizes the secretary to have access to records from a variety of sources (law enforcement, autopsy, coroner's investigative records, medical records of the mother and state agencies that provided services to the mother). In addition, the secretary may apply to the district court for a subpoena to compel the production of documents and records relevant to the death being investigated by the secretary.

Subsection (c) directs the secretary to identify maternal death causes, review medical records and other relevant data, contact family members and other involved persons, consult with experts, make determinations on the preventability of maternal deaths, develop recommendations to prevent maternal deaths and disseminate findings and recommendations to the legislature, health care providers and facilities and the general public.

Subsection (d) directs the health care providers enumerated in that subsection to provide reasonable access to medical records associated with a maternal death case. A health care provider providing this access is exempted from civil damages, criminal or disciplinary administrative actions if the records are provided in good faith.

Subsection (e) provides that the information and records collected are confidential and are not admissible in any action.

Subsection (f) requires that activities and information collected under the section are confidential and not subject to the open records act or the open meetings act, subpoena, discovery or introduction into evidence in any civil or criminal proceeding. None of this information or activities are subject to subpoena, discovery or introduction into evidence in any civil or criminal proceeding. The secretary or a representative of the secretary is not to be questioned in any civil or criminal proceeding concerning information or opinions formed as a result of the investigation.

Subsection (g) directs that reports concerning aggregate non-individually identifiable data be compiled for distribution to encourage further study of maternal deaths.