

IC 16-38-2

Chapter 2. Cancer Registry

IC 16-38-2-1

Cancer registry; establishment

Sec. 1. (a) The state department shall establish a cancer registry for the purpose of:

(1) recording:

(A) all cases of malignant disease; and

(B) other tumors and precancerous diseases required to be reported by:

(i) federal law or federal regulation; or

(ii) the National Program of Cancer Registries;

that are diagnosed or treated in Indiana; and

(2) compiling necessary and appropriate information concerning those cases, as determined by the state department;

in order to conduct epidemiologic surveys of cancer and to apply appropriate preventive and control measures.

(b) The department may contract for the collection and analysis of, and the research related to, the epidemiologic data compiled under this chapter.

As added by P.L.2-1993, SEC.21. Amended by P.L.93-2001, SEC.1; P.L.17-2004, SEC.2.

IC 16-38-2-2

Development of registry from existing data

Sec. 2. The state department shall, to the greatest extent possible, utilize information compiled by public or private cancer registries in the development of a statewide cancer registry under this chapter.

As added by P.L.2-1993, SEC.21.

IC 16-38-2-3

Reports

Sec. 3. (a) The following persons shall report to the cancer registry each confirmed case of cancer and other tumors and precancerous diseases required to be recorded under section 1 of this chapter:

(1) Physicians.

(2) Dentists.

(3) Hospitals.

(4) Medical laboratories.

(5) Ambulatory outpatient surgical centers.

(6) Health facilities.

(b) A person required to report information to the state cancer registry under this section may utilize, when available:

(1) information submitted to any other public or private cancer registry; or

(2) information required to be filed with federal, state, or local agencies;

when completing reports required by this chapter. However, the state

department may require additional, definitive information.
As added by P.L.2-1993, SEC.21. Amended by P.L.17-2004, SEC.3.

IC 16-38-2-4
Confidentiality

Sec. 4. Except as provided in sections 5, 6, and 7 of this chapter, information obtained under this chapter by the state department concerning individual cancer patients is for the confidential use of the state department only.
As added by P.L.2-1993, SEC.21.

IC 16-38-2-5
Access to confidential information for research purposes

Sec. 5. The state department shall grant any person involved in a legitimate research activity access to confidential information concerning individual cancer patients obtained by the state department under this chapter if all of the following conditions are met:

- (1) The person conducting the research provides written information about the following:
 - (A) The purpose of the research project.
 - (B) The nature of the data to be collected and how the researcher intends to analyze the data.
 - (C) The records the researcher desires to review.
 - (D) The safeguards the researcher will take to protect the identity of the patients whose records the researcher will be reviewing.
- (2) The proposed safeguards are adequate to protect the identity of each patient whose records will be reviewed.
- (3) An agreement is executed between the state department and the researcher that meets all of the following conditions:
 - (A) Specifies the terms of the researcher's use of the records.
 - (B) Prohibits the publication or release of the names of individual cancer patients or any facts tending to lead to the identification of individual cancer patients.

As added by P.L.2-1993, SEC.21.

IC 16-38-2-6
Additional information requests; individual patients; consent

Sec. 6. Researchers may, with the approval of the state department, use the names of individual cancer patients when requesting additional information for research purposes or soliciting an individual patient's participation in a research project. However, if a researcher requests additional information for an individual cancer patient's participation in a research project, the researcher must first obtain the oral or written consent of the patient's attending physician. If the consent of the patient's attending physician is obtained, the researcher must then obtain the individual cancer patient's written consent by having the patient complete a release of confidential medical information form.

As added by P.L.2-1993, SEC.21.

IC 16-38-2-7

Release of confidential information

Sec. 7. The state department may release confidential information concerning individual cancer patients to the following:

(1) The cancer registry of another state if the following conditions are met:

(A) The other state has entered into a reciprocal agreement with the state department.

(B) The agreement provides that information that identifies a patient will not be released to any other person without the written consent of the patient.

(2) Physicians and local health officers for diagnostic and treatment purposes if the following conditions are met:

(A) The patient's attending physician gives oral or written consent to the release of the information.

(B) The patient gives written consent by completing a release of confidential medical information form.

As added by P.L.2-1993, SEC.21.

IC 16-38-2-8

Immunity from liability

Sec. 8. A person who reports information to the cancer registry system under this chapter is immune from any civil or criminal liability that might otherwise be imposed because of the release of what is otherwise confidential information.

As added by P.L.2-1993, SEC.21.

IC 16-38-2-9

Epidemiological information; release

Sec. 9. This chapter does not prevent the release to any interested person of epidemiological information that does not identify individual cancer patients.

As added by P.L.2-1993, SEC.21.

IC 16-38-2-10

Administrative rules

Sec. 10. The state department shall adopt rules under IC 4-22-2 necessary to carry out this chapter.

As added by P.L.2-1993, SEC.21.

IC 16-38-2-11

Annual report

Sec. 11. Not later than December 31 of each year, the department shall publish and make available to the public an annual report summarizing the information collected under this chapter during the previous calendar year.

As added by P.L.93-2001, SEC.2. Amended by P.L.17-2004, SEC.4.