

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1172

Introduced by von Gillern, 4; Aguilar, 35; Albrecht, 17; Armendariz, 18; Ballard, 21; Bosn, 25; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Cavanaugh, M., 6; Clements, 2; Conrad, 46; DeBoer, 10; DeKay, 40; Dover, 19; Dungan, 26; Erdman, 47; Fredrickson, 20; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; McDonnell, 5; Meyer, 41; Raybould, 28; Riepe, 12; Sanders, 45; Vargas, 7; Walz, 15.

Read first time January 11, 2024

Committee:

- 1 A BILL FOR AN ACT relating to public health and welfare; to amend
- 2 sections 81-647 and 81-663, Reissue Revised Statutes of Nebraska; to
- 3 change requirements relating to requests for data access for
- 4 research purposes; to change legislative intent for release of data;
- 5 and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-647, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 81-647 (1) All data obtained from medical records of individual
4 patients is for the confidential use of the department and the private or
5 public persons or entities that the department determines may view such
6 records as provided in sections 81-663 to 81-675.

7 (2) The department may approve individuals or entities to obtain
8 access to case-specific data or case-specific and patient-identifying
9 data to assist in their research for prevention, cure, or control of
10 cancer. Any information released from the cancer registry shall be
11 disclosed as provided in sections 81-663 to 81-675.

12 (3) For purposes of protecting the public health, local health
13 departments in Nebraska, health departments or cancer registries located
14 outside Nebraska, and the Centers for Disease Control and Prevention and
15 the National Cancer Institute of the United States Department of Health
16 and Human Services or their successors may have access to the data
17 contained in the cancer registry upon the department's approval based on
18 the entity's written application.

19 (4) The department shall respond to all requests for data access for
20 research purposes in writing within eight weeks after the date the
21 request is received. The reason for any denial shall be included in the
22 department's written response as provided in sections 81-663 to 81-675.

23 Sec. 2. Section 81-663, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 81-663 The Legislature finds that there is a need to establish a
26 framework for consistent release of medical record and health information
27 from the many registries and databases the department maintains for the
28 State of Nebraska. The purpose of the release of data is to encourage
29 research which will protect the health and safety of the citizens of
30 Nebraska by assisting in the prevention, cure, and control of specific
31 diseases or injuries. Included in the framework for release of data

1 established by the department is a public timeline for the approval or
2 denial of such requests.

3 Sec. 3. Original sections 81-647 and 81-663, Reissue Revised
4 Statutes of Nebraska, are repealed.