

1981 Assembly Bill 323

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CHAPTER 214 , Laws of 1981

AN ACT to repeal 69.53; to amend 69.23 (4), 69.29 (1) and 69.35; to repeal and recreate 140.05 (11); and to create 140.05 (14m) and 146.815 of the statutes, relating to creating an occupational disease surveillance system and affecting an appropriation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 69.23 (4) of the statutes, as affected by chapter 20, laws of 1981, is amended to read:

69.23 (4) Nothing in this subchapter may be construed to permit disclosure of information contained in the "confidential information for medical and health use only" section of the birth certificate ~~or, of information in the birth certificate specifying the occupations of the child's parents at the time of the birth or of information~~ in the "confidential information for statistical purposes only" section of the marriage document to any person other than to the subject of that information or his or her authorized guardian or to the parent if the subject is a minor, unless specifically authorized by the state registrar for statistical, research or public health purposes or unless ordered by a circuit judge or judge assigned to exercise jurisdiction under ch. 48.

SECTION 2. 69.29 (1) of the statutes is amended to read:

69.29 (1) The certificate of birth shall contain such items as the department determines are necessary and shall agree in the main with the standard form recommended by the U.S. public health service. The certificate shall, if obtainable, specify the occupations of the child's parents at the time of the birth. Whenever a child is born to a woman while she is the lawful wife of a specified man, the certificate of birth for the child shall list the name of the husband as the father of the child unless and until the paternity of the child is proven in any proceeding under ch. 767.

SECTION 3. 69.35 of the statutes is amended to read:

69.35 Standard death certificate. The certificate of death shall contain such items as the department may determine are necessary and shall agree in the main with the standard form recommended by the U.S. public health service. The certificate shall, if obtainable, specify the occupation of the deceased.

SECTION 4. 69.53 of the statutes is repealed.

SECTION 5. 140.05 (11) of the statutes is repealed and recreated to read:

140.05 (11) The department may collect information from hospitals and physicians relating to the incidence, causes and treatment of cancer. Any information collected is confidential and may not be released by the department except in statistical summaries. The department may, to the extent feasible, collect information related to the occupation of cancer patients in order to fulfill the purpose of sub. (14m).

SECTION 6. 140.05 (14m) of the statutes is created to read:

140.05 (14m) The department may use hospital inpatient health care records, abstracts of these records and information the state or federal government collects to correlate exposure to certain occupational environments with resulting acute or chronic health problems. If the department finds that an occupational health hazard exists, it shall disseminate its findings and promote efforts to educate employees and employers about the health hazard.

SECTION 7. 146.815 of the statutes is created to read:

146.815 Contents of certain patient health care records. (1) Patient health care records maintained for hospital inpatients shall include, if obtainable, the inpatient's occupation and the industry in which the inpatient is employed at the time of admission, plus the inpatient's usual occupation.

(2) (a) If a hospital inpatient's health problems may be related to the inpatient's occupation or past occupations, the inpatient's physician shall ensure that the inpatient's health care record contains available information from the patient or family about these occupations and any potential health hazards related to these occupations.

(b) If a hospital inpatient's health problems may be related to the occupation or past occupations of the inpatient's parents, the inpatient's physician shall ensure that the inpatient's health care record contains available information from the patient or family about these occupations and any potential health hazards related to these occupations.

(3) The department shall provide forms that may be used to record information specified under sub. (2) and shall provide guidelines for determining whether to prepare the occupational history required under sub. (2). Nothing in this section shall be construed to require a hospital or physician to collect information required in this section from or about a patient who chooses not to divulge such information.

SECTION 8. Appropriation change. The appropriation to the department of health and social services under section 20.435 (1) (a) of the statutes, as affected by the laws of 1981, is increased by \$-0- for fiscal year 1981-82 and by \$3,200 for fiscal year 1982-83 to pay the cost of changes to the birth certificate form and to the cancer reporting system.

SECTION 9. Effective date. This act takes effect on the first day of the 6th month following publication.
