

26-23b-104 Authorization to report.

- (1) A health care provider is authorized to report to the department any case of a reportable emergency illness or health condition in any person when:
 - (a) the health care provider knows of a confirmed case; or
 - (b) the health care provider believes, based on the health care provider's professional judgment that a person likely harbors a reportable emergency illness or health condition.
- (2) A report pursuant to this section shall include, if known:
 - (a) the name of the facility submitting the report;
 - (b) a patient identifier that allows linkage with the patient's record for follow-up investigation if needed;
 - (c) the date and time of visit;
 - (d) the patient's age and sex;
 - (e) the zip code of the patient's residence;
 - (f) the reportable illness or condition detected or suspected;
 - (g) diagnostic information and, if available, diagnostic codes assigned to the visit; and
 - (h) whether the patient was admitted to the hospital.
- (3)
 - (a) If the department determines that a public health emergency exists, the department may, with the concurrence of the governor and the executive director or in the absence of the executive director, the executive director's designee, issue a public health emergency order and mandate reporting under this section for a limited reasonable period of time, as necessary to respond to the public health emergency.
 - (b) The department may not mandate reporting under this subsection for more than 90 days. If more than 90 days is needed to abate the public health emergency declared under Subsection (3)(a), the department shall obtain the concurrence of the governor to extend the period of time beyond 90 days.
- (4)
 - (a) Unless the provisions of Subsection (3) apply, a health care provider is not subject to penalties for failing to submit a report under this section.
 - (b) If the provisions of Subsection (3) apply, a health care provider is subject to the penalties of Subsection 26-23b-103(3) for failure to make a report under this section.

Amended by Chapter 297, 2011 General Session