

CHAPTER 259-A**OCCUPATIONAL DISEASE REPORTING****§1491. Occupational disease reporting**

As used in this chapter the term "occupational disease" means any abnormal condition or disorder, including an occupational injury, caused by exposure to environmental factors associated with employment. Occupational diseases include the following: Asbestosis; mesothelioma; silicosis; and exposure to heavy metals. Reporting of other occupational diseases may be required only by departmental rules. [PL 1993, c. 270, §1 (AMD).]

SECTION HISTORY

PL 1985, c. 452, §1 (NEW). PL 1993, c. 270, §1 (AMD).

§1492. Occupational disease reporting system

The Department of Health and Human Services shall establish, maintain and operate a statewide occupational disease reporting system. The data collected shall be analyzed and interpreted in order to better identify risk factors associated with occupational diseases and strategies to prevent or reduce these risks. The results of this analysis shall be made available to the public. The department shall share and discuss this information with the Department of Labor. [PL 1989, c. 502, Pt. A, §68 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

SECTION HISTORY

PL 1985, c. 452, §1 (NEW). PL 1987, c. 816, §KK18 (AMD). PL 1989, c. 502, §A68 (AMD). PL 2003, c. 689, §B6 (REV).

§1493. Duties of health care providers, health care facilities and medical laboratories

All health care providers, health care facilities and medical laboratories shall report to the Department of Health and Human Services all persons diagnosed as having an occupational disease no later than 30 days from the date of diagnosis or from discharge from a hospital. The report must include any factor known to the physician that is suspected of being a contributing factor to the disease, including, but not limited to, whether or not the person smokes and, if so, the frequency of smoking. [PL 2011, c. 337, §1 (AMD).]

A health care provider, health care facility or medical laboratory, upon notification by the Department of Health and Human Services, shall report to the department any further information requested by the department concerning any person now or formerly under its care diagnosed as having or having had an occupational disease. [PL 2011, c. 337, §1 (AMD).]

A health care provider, health care facility or medical laboratory complying with the reporting requirements of this section is not liable for any civil damages as a result of those acts. [PL 2011, c. 337, §1 (AMD).]

SECTION HISTORY

PL 1985, c. 452, §1 (NEW). PL 2003, c. 689, §B6 (REV). PL 2011, c. 337, §1 (AMD).

§1494. Confidentiality

Unless otherwise authorized by section 42, subsection 5, the department may not release any information described in section 1493 regarding reporting of occupational diseases if that information identifies persons with occupational diseases directly or indirectly. The department may disclose information that relates to the site of employment to the Department of Labor, Bureau of Labor

Standards if the disclosure contains only the information necessary to advance the public health and does not directly identify an individual having an occupational disease. [PL 2011, c. 337, §2 (RPR).]

All other information submitted pursuant to this chapter may be made available to the public. [PL 2011, c. 337, §2 (NEW).]

SECTION HISTORY

PL 1985, c. 452, §1 (NEW). PL 2011, c. 337, §2 (RPR).

§1495. Training

The department shall establish a program to train health care providers in the recognition of occupational diseases and on the appropriate case management of selected occupational illnesses occurring in the State. [PL 1987, c. 816, Pt. KK, §19 (NEW).]

SECTION HISTORY

PL 1987, c. 816, §KK19 (NEW).

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