

SESSION OF 2014

SUPPLEMENTAL NOTE ON SENATE BILL NO. 259

As Amended by Senate Committee on Judiciary

Brief*

SB 259, as amended, would allow the State Child Death Review Board to disclose information extracted from the Board's records pursuant to rules and regulations the bill would require the Board to adopt. The rules and regulations would be required to prohibit disclosure of any identifying information, including name, full date of birth, date or location information related to the incident associated with the child's death, residence street number and street name, or death certificate or medical record number. The rules and regulations also would contain a requirement for a confidentiality agreement with any person granted access to information, and would authorize disclosure of the information only for the purpose of public health or education to:

- An organization with a Federalwide Assurance for the Protection of Human Subjects (FWA) in good standing, if the organization provides documentation of review of the research proposal by an institutional review board designated in the FWA; or
- A governmental agency.

The granting or denial of access to information would be within the Board's discretion in all cases, regardless of compliance with the above provisions.

The Board would be required to include in its annual report to the Governor and the Legislature information

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

summarizing the Board's actions pursuant to the new provisions, including information regarding each request that was granted or denied, the purpose of each such request, and the reason for the Board's decision.

The bill would make technical amendments to standardize references to the Board, update a reference to the Secretary for Children and Families, and replace the term "physicians" with "persons" with regard to Board composition.

Background

The bill was introduced by the Senate Committee on Judiciary at the request of the Kansas Judicial Council. In the Senate Committee, representatives of the Judicial Council, the Board, Kansas Action for Children, and Kansas Infant Death and SIDS Network, Inc. testified in support of the bill. Two members of the Board and representatives of the Kansas Children's Service League, the Kansas Chapter of the American Academy of Pediatrics, and Safe Kids Kansas provided written testimony supporting the bill. There was no opponent or neutral testimony.

The Senate Committee amended the bill to remove a database provision, clarify the provisions related to address information, add the FWA credentialing provision, and require the Board's annual report to include information related to research requests and the Board's decisions.

According to the fiscal note prepared by the Division of the Budget on the original bill, the Office of the Attorney General indicates the bill would have no fiscal effect.