

SENATE BILL No. 10

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-50-1.

Synopsis: Statewide maternal mortality review committee. Amends the definition of "maternal mortality" to include deaths of pregnant women from any cause. Specifies that a health care provider includes a mental health professional for purposes of the review of records by the statewide maternal mortality review committee.

Effective: July 1, 2021.

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January 7, 2021, read first time and referred to Committee on Health and Provider Services.



First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

SENATE BILL No. 10

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 16-50-1-2, AS ADDED BY P.L.48-2018,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]: Sec. 2. As used in this article, "maternal mortality"
4 refers to death, occurring in Indiana, of an individual during pregnancy
5 through up to one (1) year after pregnancy, irrespective of the duration
6 and site of the pregnancy, from any cause. ~~related to or aggravated by~~
7 ~~the pregnancy or management of the pregnancy.~~
8 SECTION 2. IC 16-50-1-8, AS ADDED BY P.L.48-2018,
9 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2021]: Sec. 8. (a) In conducting a review under this chapter,
11 the statewide maternal mortality review committee shall review all
12 applicable records and information related to the death, including the
13 following:
14 (1) Records held by the local or state health departments,
15 including the death certificate.
16 (2) Medical records submitted by the health care provider or
17 health care facility.



- (3) Law enforcement records.
- (4) Coroner records, including an autopsy report.
- (5) Mental health records.
- (6) Emergency medical services reports.
- (7) Subject to IC 31-33-18-2, records held by the department of child services.
- (8) To the extent allowable under state and federal law, other records held by the state department.

(b) The following shall provide to the statewide maternal mortality review committee, in good faith, access to records concerning a case under review under this chapter:

- (1) A health care provider, **including a mental health professional.**
- (2) A health care facility.
- (3) An individual.
- (4) An entity.

(c) A person described in subsection (b) that provides access to records in good faith under this section is not subject to liability in:

- (1) a civil;
- (2) an administrative;
- (3) a disciplinary; or
- (4) a criminal;

action that might otherwise be imposed as a result of the disclosure.

(d) Except as otherwise provided under this chapter, information and records acquired and interviews conducted by the statewide maternal mortality review committee in the exercise of the committee's duties under this chapter are confidential and exempted from disclosure.

(e) Records, information, documents, and reports acquired or produced by the statewide maternal mortality review committee are not:

- (1) subject to subpoena or discovery; or
- (2) admissible as evidence;

in any judicial or administrative proceeding. Information that is otherwise discoverable or admissible from original sources is not immune from discovery or use in any proceeding merely because the information was presented during proceedings before the statewide maternal mortality review committee.

(f) The statewide maternal mortality review committee members and individuals who attend a statewide maternal mortality review committee meeting at the invitation of the chairperson shall maintain the confidentiality of records and information discussed and



- 1 disseminated during the statewide maternal mortality review committee
- 2 meeting.

