## Indiana

### Birth Defects Surveillance System

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<td>IN</td>
<td>STATUTE: IC 16-38-4-7 RULE: 410 IAC Article 21 Rule 3</td>
<td>IC 16-38-4-8. Department to establish birth problems registry; rationale; sources of data; report - Sec. 8. (a) The state department shall establish a birth problems registry for the purpose of recording all cases of birth problems that occur in Indiana residents and compiling necessary and appropriate information concerning those cases, as determined by the state department... (b) The state department shall record in the birth problems registry: (1) all data concerning birth problems of children that are provided from the certificate of live birth; and (2) any additional information that may be provided by an individual or entity described in section 7(a)(2) of this chapter concerning a birth problem...</td>
<td>410 IAC 21-3-7. - Sec 7. The following persons shall report a diagnosed birth problem to the birth problems registry: (1) Hospitals. (2) Birth centers. (3) Health facilities. (4) Physicians. (5) Psychiatric hospitals. (6) Dentists. (7) Oral surgeons. (8) Registered or licensed practical nurses. (9) Midwives. (10) Optometrists.</td>
<td>IC 16-38-4-11 Access to confidential information for research. - Sec. 11. The state department shall grant any person involved in a legitimate research activity access to confidential information concerning individual patients obtained by the state department under this chapter if: (1) the person conducting the research provides written information about the purpose of the research project, the nature of the data to be collected and how the researcher intends to analyze it, the</td>
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**410 IAC 21-3-4 “Registry” defined.**  
- **Sec. 4.** "Registry" means the Indiana birth problems registry administered by the Indiana state department of health.

**410 IAC 21-3-8. - Sec. 8.** (a) The following shall be reported by a person who must report as required by section 7 of this rule to the registry:

1. Every birth problem, except a pervasive developmental disorder or a fetal alcohol spectrum disorder, listed in section 9 of this rule that:
   - (A) has been diagnosed in a child before that child's third birthday; or
   - (B) was diagnosed at the time of a child's death up to three (3) years of age.

2. A pervasive developmental disorder or a fetal alcohol spectrum disorder listed in section 9 of this rule that was diagnosed before a child's fifth birthday.

(11) Podiatrists.  
(12) Chiropractors.  
(13) Physical therapists.  
(14) Psychologists.  
(15) Local health departments.  
(16) Health maintenance organizations.  
(17) Audiologists.

records the researcher wishes to review, and the safeguards the researcher will take to protect the identity of the patients whose records the researcher will be reviewing;  
(2) the proposed safeguards are adequate to protect the identity of each patient whose records will be reviewed; and  
(3) an agreement is executed between the state department and the researcher that specifies the terms of the researcher's use of the records and that prohibits the publication or release of the names of individual patients or any facts tending to lead to the identification of individual patients.