## Kansas Cancer Surveillance System

<table>
<thead>
<tr>
<th>State</th>
<th>Statute/Rule</th>
<th>Language Specific to Surveillance System</th>
<th>Data Sharing</th>
<th>Research Authority</th>
<th>Consent Required?</th>
</tr>
</thead>
</table>
| KS    | STATUTE: K.S. Chapter 65, Article 1, 168 – 174  
RULES: K.A.R. 28-70-1 to 28-70-3 | **65-1,168.** Cancer registry  
**65-1,169 Same, collection of data; rules and regulations; reporting of cases.** (a) The secretary is hereby authorized to collect data pertaining to all cancers occurring in Kansas into a registry which shall be the cancer registry for the state of Kansas. The secretary shall adopt rules and regulations…(b) Health care providers, as defined in K.S.A. 65-1,168 and amendments thereto, and other individuals and entities specified in | **65-1,172.** Same; uses of confidential data. (a) Confidential data collected pursuant to this act shall be securely locked and used only for the following purposes…(5) As part of an exchange agreement with another state, confidential data collected on a resident of another state may be released to the cancer registry of that person's state of residence if that state has confidentiality requirements that provide assurance of protection of confidentiality equivalent to that provided by Kansas under this act. | **65-1,172.** Same; uses of confidential data. (a) Confidential data collected pursuant to this act shall be securely locked and used only for the following purposes: (1) Ensuring the quality and completeness of the registry data. (2) Investigating the nature and cause of abnormal clusterings of cancer and the possible cancer risk related to having an abortion. (3) Offering…diagnostic services and treatments not available except through clinical | NO |

**KS STATUTE:** K.S. Chapter 65, Article 1, 168 – 174  
**RULES:** K.A.R. 28-70-1 to 28-70-3

Copyright © Citizens’ Council for Health Freedom June 2013  
Updated August 2012. All state statutes and department rules originally accessed online July/Aug 2008. Statute/Rule data not inclusive. For comprehensive or updated language, access complete statute and rules online, at local library or through the state legislature.
| **rules and regulations** shall report to the registry each case diagnosed or treated unless exempted by statute or regulation within six months of the date of diagnosis. |
| **65-1,170 Same; uses of nonconfidential data.** Uses of registry data which are not confidential in nature include, but are not limited to (a) The production of statistical data which outline the frequency, distribution, severity at diagnosis, treatment and survival for each type of cancer; (b) the design and implementation of cancer screening programs which have been demonstrated to decrease cancer mortality; (c) assessing the cancer risk in the from such report…

| **28-70-2. Reporting requirements.** |
| (a)…(1) Each report shall provide all required information available in the medical or administrative records that are under the direct control of the reporting administrator. A health care institution shall not be required to contact the patient, the patient’s family, an individual provider, or another health care institution to obtain additional information not contained in the medical record. (2) Any health care institution that has medical records of a cancer patient, but has not diagnosed or treated the cancer, shall provide information regarding that patient upon receipt of a written request from the registry. (3) Each health care institution shall provide annual follow-up information regarding the outcome and status of each patient receiving cancer diagnostic or therapeutic services, upon receipt of a written request from the registry. (4) Any pathology laboratory may submit a pathological report of each cancer to fulfill the laboratory’s reporting requirement. (b) Upon receipt of a request for information from the registry regarding a trials…7) Follow up for public health purposes. With the approval of the health and environmental institutional review board as provided for in title 45, part 46 of the code of federal regulations, the secretary of health and environment…may contact individuals who are the subjects of the reports…The secretary shall inform such individuals that the participation in such projects is voluntary and may only be conducted with the written consent of the person who is the subject of the information…Informed consent is not required if the person who is the subject of
### Kansas population; (d) assessing the possible cancer risk of abortion; (e) identifying previously unrecognized risk factors and causes of cancer; (f) monitoring the potential health impact of environmental exposures; (g) monitoring health care access and utilization and effectiveness of services for the prevention and treatment of cancer; and (h) quantifying costs associated with cancer care.

### Article 70. Cancer Registry.  
**28-70-1 Definitions.**  
...(b) “Cancer registry director” means the person at the university of Kansas medical center, department of preventive medicine and patient, each individual provider shall provide the requested information that is contained in medical records under the direct control of the provider. (1) An individual provider shall not be required to report cancer cases, unless it receives a request from information from the registry regarding a specific patient. (2) An individual provider shall not be required to contact the patient, the patient’s family, a health care institution, or another individual provider to obtain additional information no contained in the medical record that is in the direct control of the provider. (3) Each individual provider shall fulfill reporting requirements by completing any one of the following actions:

(A) Reporting to the registry the name of the hospital, outpatient surgery center, or radiation oncology center where the patient received cancer-related care;  
(B) Submitting, to the registry, copies of outpatient records, including surgical reports, cancer diagnostic reports, tumor histologic reports, and patient identification form; or  
(C) Submitting a short form, supplied the information is deceased…

### 28-70-3. Use and access.  
(a) For purposes of ascertaining the accuracy and completeness of cancer data, the medical diagnosis of each person cared for by any health care provider or licensee specified in K.A.R. 28-70-2 (a) or (b) or by any hospice or adult care home and the medical or administrative records of any person with cancer may be reviewed by the cancer registry director. Each review shall be made by prearrangement with the appropriate administrator or licensee. Pursuant to K.S.A. 65-1,169 and amendments thereto, a
<table>
<thead>
<tr>
<th>Trust:</th>
<th>by the registry, that request demographic, tumor histology and staging, patient identifiers, and names of treating institutions.</th>
<th>copy of any death certificate may be requested by the cancer registry director from the secretary to ensure the completeness of cancer data and to achieve record closure. <strong>(b)</strong> Each person who requests access to confidential registry data shall submit a written request to a review panel, as specified in K.S.A. 65-1, 169, and amendments thereto. If the person meets the requirements specified in K.S.A. 65-1, 172 and amendments thereto, the confidential data may be released by the review panel.</th>
</tr>
</thead>
<tbody>
<tr>
<td>public health, who is authorized by the secretary to administer the operations of the cancer registry of the state of Kansas…. <strong>(f)</strong> “Registry” means the cancer registry of the state of Kansas, as established by K.S.A. 65-1, 169, and amendments thereto. (Authorized by and implementing K.S.A. 2004 Supp 65-1, 169; effective Feb. 27, 1998; amended Aug. 5, 2005)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>