# ARKANSAS

## Birth Defects Surveillance System

<table>
<thead>
<tr>
<th>State</th>
<th>Statute/Rule</th>
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<th>Data Sharing</th>
<th>Research Authority</th>
<th>Consent Required?</th>
<th>Dissent Allowed?</th>
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<tr>
<td>AR</td>
<td>STATUTE: Arkansas Code Annotated, Title 20, Chapter 16, Subchapter 2</td>
<td>NO RULE FOUND</td>
<td>16-206. Authority to contract for information. (a) The Arkansas Reproductive Health Monitoring System is expressly authorized to contract for the production of any information which its technical advisory board determines to be relevant to monitoring reproductive health from any department or agency of the state. (b) Information shared under this section includes, but is not limited to, information identified by name or other personal identifier, including information concerning any system by which such data or information is identified or classified if required to decipher the information. 20-16-208. Furnishing of information by hospitals. (a) All hospitals with patient records containing information pertaining to reproduction and development are required to share information in those records with the Arkansas Reproductive Health Monitoring System. 20-16-210. Intergovernmental agreements. The Arkansas Reproductive Health Monitoring System shall have the power to enter into agreements with neighboring states and the Centers for Disease Control and Prevention consistent with the requirements and restrictions of this subchapter in order to obtain relevant information for the system concerning Arkansas residents who receive health-related services outside the state.</td>
<td>NONE FOUND</td>
<td>NO</td>
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### Cancer Surveillance System

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<tr>
<td>AR</td>
<td>STATUTE: A.C.A., Subchapter 2, 20-15-201 to 205</td>
<td>20-15-201. Reporting requirements. The Division of Health of the Department of Health and Human Services shall accumulate such data concerning cancer in Arkansas and its residents as is deemed appropriate for the purpose of describing the frequency of cancer, furnishing reports to health professionals and the public, and for planning and evaluating cancer prevention and control programs. The data shall be collected under the authority of regulations promulgated by the State Board of Health.</td>
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<td>SECTION III. DEFINITIONS. Registry. Means the system for the reporting, collection, and analysis of cancer cases by the Arkansas Department of Health. Reporting. Means the notification furnished to the Arkansas Department of Health of cases of in situ or invasive neoplasms of the human body, not including squamous cell and basal cell carcinoma of the skin.</td>
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<td>SECTION IV. GENERAL REQUIREMENTS. B. In order to insure the accuracy and completeness of the cancer registry within the Department of Health, staff and agents shall be permitted access to records of hospitals, other medical facilities, physicians (including surgeons), nursing homes and other individuals or agencies providing services wherein records concerning patients in which cases of cancer are identified are located. C. All reporting shall be made on forms or in an acceptable manner in accordance with directives of the Department of Health. All cancer cases shall be reported within six months after the date of discharge or diagnosis is made or within six months after a cancer case is known, even if diagnosed elsewhere. Where appropriate cancer data will be in the format recognized by the American Association of Central Cancer Registries. D. Each hospital licensed by the Department of Health shall designate a person who shall be responsible for accurate and timely reporting pursuant to this rule. Such hospital shall also adopt a policy which ensures the designation of such person and the hospital's reporting to the Registry.</td>
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<td>NO</td>
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<td>20-15-203. Confidentiality. Information accumulated and maintained in the Cancer Registry of Arkansas shall not be divulged except as statistical information which does not identify individuals and for purposes of such research as approved by the Arkansas State Board of Health. [emphasis added]</td>
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<td>SECTION V. CONFIDENTIALITY. All information reported to the Department of Health shall be confidential and shall not be disclosed under any circumstances except (1) to other state cancer registries with which the Department of Health has agreements that insure confidentiality; (2) to other state health officials who are obligated to keep such information confidential; and (3) to approved cancer research centers under specific conditions where the names and identities of the individuals are appropriately protected, and when such research is conducted for the purpose of cancer prevention, control and treatment.</td>
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## Newborn Genetic Testing & Surveillance System

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<tr>
<td>AR</td>
<td>STATUTE: A.C.A., Title 20, Subtitle 2, Chapter 15, Subchapter 3</td>
<td>20-15-301. Injunction. The State Board of Health shall have the power to enforce this subchapter by appropriate action for injunction in the circuit courts of this state.</td>
<td>20-15-302. Testing of newborns. (a)(1)(A) All newborn infants shall be tested for phenylketonuria, hypothyroidism, galactosemia, cystic fibrosis, and sickle-cell anemia. (B) In addition, if reliable and efficient testing techniques are available, all newborn infants shall be tested for other genetic disorders of metabolism by employing procedures approved by the State Board of Health…</td>
<td>20-15-302. Testing of newborns… (e)(2)(A) Information on newborn infants and their families compiled under this section may be used by the division and persons or public or private entities designated by the division.</td>
<td>NO</td>
<td>YES</td>
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<td>RULE: AAC, 007.16.07-001</td>
<td>(b) All positive test results shall be sent immediately to the Division of Health of the Department of Health and Human Services.</td>
<td>(c)(1) The division shall establish and maintain a program of reviewing and following up on positive cases so that measures may be taken to prevent mental retardation or other permanent disabilities.</td>
<td>(c)(2)(A) Information may be used by the division and persons or public or private entities designated by the division.</td>
<td>(b)(1) All stored tissues, including blood, that arise from surgery, other diagnostic or therapeutic steps, or autopsy may be disclosed for genetic or other research studies, if:</td>
<td>(A) The patient's name or social security number is not attached to or included with the specimen; or</td>
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## Vaccination Surveillance System

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<td>AR</td>
<td>STATUTE: A.C.A., Title 20, Chapter 15 RULE: AAC 007.15.07-001</td>
<td>20-15-1202. Statewide childhood immunization registry. (a) (1) The Department of Health shall establish a statewide immunization registry. (2) Immunization records shall include data as specified by the department. (b) The department may make information regarding the immunization status of children in the registry available to the parents or guardians of a child, to providers who report on the immunization status of children in their care, and to such other persons or organizations designated by rule or regulation of the State Board of Health. (c) The board shall adopt rules to implement this subchapter, including provisions for confidentiality of medical information. AAC. 007.15.07, SECTION IV. GENERAL REQUIREMENTS...</td>
<td>NONE FOUND</td>
<td>20-15-1203. Duty of providers — Penalty. (a) (1) A provider shall register with the Department of Health the intent to administer childhood immunizations to an individual under twenty-two (22) years of age. (2) A provider shall report to the department the administration of a childhood immunization to an individual under twenty-two (22) years of age. (3)(A) A provider may report the administration of adult immunizations to the department (B) A provider may report an adult immunization under subdivision (a)(3)(A) of this section only after receiving consent from the adult.  [emphasis added] (b) A provider who administers a childhood immunization and fails to register with the department or make the required reports to the department, or both, shall be fined twenty-five dollars ($25.00).</td>
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