

1 AN ACT relating to Parkinson's disease.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 214 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "Advisory committee" means the Kentucky Parkinson's Disease Research*
7 *Registry Advisory Committee established under subsection (3) of this*
8 *section;*

9 *(b) "Cabinet" means the Cabinet for Health and Family Services;*

10 *(c) "Health facility" has the same meaning as in KRS 216B.015;*

11 *(d) "Licensed health care provider" means a physician, osteopath, or physician*
12 *assistant licensed under KRS Chapter 311 or advanced practice registered*
13 *nurse licensed under KRS Chapter 314;*

14 *(e) "Parkinson's disease" means a chronic and progressive neurologic disorder*
15 *resulting from a deficiency of the neurotransmitter dopamine as a*
16 *consequence of specific degenerative changes in the area of the brain called*
17 *the basal ganglia characterized by tremor at rest, slow movements, muscle*
18 *rigidity, stooped posture, and unsteady or shuffling gait;*

19 *(f) "Parkinsonisms":*

20 *1. Means Parkinson's disease-related conditions that cause a*
21 *combination of movement abnormalities such as tremor at rest, slow*
22 *movement, muscle rigidity, impaired speech, and muscle stiffness,*
23 *which often overlap with and can evolve from what appears to be*
24 *Parkinson's disease; and*

25 *2. Includes multiple system atrophy, dementia with Lewy bodies,*
26 *corticobasal degeneration, and progressive supranuclear palsy;*

27 *(g) "Registry" means the Kentucky Parkinson's Disease Research Registry*

1 established in subsection (2) of this section; and

2 (h) "Secretary" means the secretary of the cabinet.

3 (2) The Kentucky Parkinson's Disease Research Registry is hereby established within
4 the cabinet under the direction of the secretary, who may enter into contracts,
5 grants, or other agreements as necessary to administer the registry in accordance
6 with this section.

7 (3) (a) The secretary shall establish the Kentucky Parkinson's Disease Research
8 Registry Advisory Committee to assist in the development and
9 implementation of the registry, determine what data will be collected, and
10 advise the cabinet.

11 (b) The advisory committee shall be appointed by the secretary and include at
12 least one (1):

13 1. Neurologist;

14 2. Movement disorder specialist;

15 3. Primary care provider;

16 4. Physician informaticist;

17 5. Patient living with Parkinson's disease;

18 6. Public health professional;

19 7. Population health researcher familiar with health data registries;

20 8. Parkinson's disease researcher;

21 9. Representative from the University of Kentucky College of Medicine
22 with specific expertise in Parkinson's disease; and

23 10. Representative from the University of Louisville School of Medicine
24 with specific expertise in Parkinson's disease.

25 The secretary may appoint additional members to the advisory committee as
26 he or she deems necessary.

27 (4) The cabinet shall:

1 (a) Promulgate administrative regulations in consultation with the advisory
2 committee and in accordance with KRS Chapter 13A to:

3 1. Designate Parkinson's disease and identified Parkinsonisms as
4 diseases that are required to be reported to the cabinet;

5 2. Establish a system of collection and dissemination of information on
6 the incidence and prevalence of Parkinson's disease and
7 Parkinsonisms in Kentucky and related epidemiological data;

8 3. Identify specific data points to be collected based on the following four
9 (4) core categories of data:

10 a. Patient demographics;

11 b. Geography;

12 c. Diagnosis; and

13 d. Sufficient information to allow for deduplication of patient
14 records in the registry;

15 4. Periodically review and revise data points to be collected to ensure
16 data and data collection procedures adapt to new knowledge and
17 technology;

18 5. Establish a coding system that removes a patient's name, address,
19 Social Security number, fingerprints, photograph, and any other
20 information by which the identity of a patient can be determined with
21 reasonable accuracy; and

22 6. Develop guidelines and procedures for reviewing and approving
23 requests to use registry data for valid scientific research;

24 (b) Receive and collect data for the registry on the incidence and prevalence of
25 Parkinson's disease and Parkinsonisms in Kentucky and related
26 epidemiological data, and may enter into data-sharing contracts with data-
27 reporting entities and their associated medical record system vendors to

1 securely and confidentially receive information related to Parkinson's
2 disease testing, diagnosis, and treatment; and

3 (c) Be responsible for any costs incurred in administering the registry and
4 implementing this section.

5 (5) (a) Beginning January 1, 2026, each health facility that treats a patient with
6 Parkinson's disease and each licensed health care provider who treats or
7 diagnoses Parkinson's disease or Parkinsonisms for a patient not otherwise
8 reported shall submit a Parkinson's disease report to the cabinet in a format
9 required or approved by the cabinet.

10 (b) 1. Health facilities and licensed health care providers shall provide each
11 patient diagnosed with Parkinson's disease or Parkinsonisms with a
12 notice regarding the reporting and collection of information and
13 patient data on Parkinson's disease.

14 2. A patient who does not wish to participate in the collection of data for
15 the purposes of research in the registry may affirmatively opt out in
16 writing after an opportunity to review the documents and ask
17 questions.

18 3. If a patient has chosen not to participate and has opted out under
19 subparagraph 2. of this paragraph, the health facility and the licensed
20 health care provider shall only report that a Parkinson's disease case
21 exists and no further data shall be reported to the cabinet for the
22 purposes of the registry.

23 4. If a patient has been diagnosed with Parkinson's disease or
24 Parkinsonisms in error, the health facility and the licensed health
25 care provider shall notify the cabinet and the cabinet shall remove the
26 patient from the registry.

27 (c) To ensure compliance with the reporting and notification requirements of

1 this subsection, the secretary or his or her agent may, upon reasonable
2 notice, inspect a representative sample of the medical records of patients
3 admitted, diagnosed, or treated for Parkinson's disease or Parkinsonisms at
4 a health facility.

5 (d) A health facility or licensed health care provider who in good faith submits
6 a report in accordance with paragraph (a) of this subsection is not liable in
7 any cause of action arising from the submission of the report.

8 (e) A health facility or licensed health care provider may use automated
9 reporting methods supplied by the cabinet or the Kentucky Health
10 Information Exchange to meet the requirements of this subsection.

11 (6) The cabinet shall make data from the registry, with or without identifiers,
12 available to researchers that have the approval of an institutional review board in
13 accordance with requirements of the Federal Policy for the Protection of Human
14 Subjects, 45 C.F.R. pt. 46, and, as applicable, 21 C.F.R. pt. 56, 45 C.F.R. pt. 164,
15 KRS 216.2920 to 216.2929, 900 KAR 7:030 and 7:040, and any other relevant
16 federal or state requirements.

17 (7) (a) The cabinet may enter into agreements to furnish data collected in the
18 registry to other states' Parkinson's disease registries, federal Parkinson's
19 disease control agencies, local health officers, or health researchers not
20 described in subsection (6) of this section for the study of Parkinson's
21 disease.

22 (b) Before confidential information is disclosed pursuant to paragraph (a) of
23 this subsection, the out-of-state registry, agency, officer, or researcher shall
24 agree in writing to maintain the confidentiality of the information. A
25 researcher shall also:

26 1. Obtain approval of the researcher's respective committee for the
27 protection of human subjects under 45 C.F.R. pt. 46; and

1 2. Provide documentation to the cabinet that demonstrates to the
2 cabinet's satisfaction that the researcher has established the
3 procedures and ability to maintain the confidentiality of the
4 information.

5 (8) (a) Except as specifically provided in this section, all information collected
6 pursuant to this section shall be confidential.

7 (b) Notwithstanding any other provision of law, a disclosure authorized by this
8 section shall include only the information necessary for the stated purpose
9 of the requested disclosure, used for the approved purpose, and not be
10 further disclosed.

11 (c) Provided the security of confidentiality has been documented, the
12 furnishing of confidential information to the cabinet or its authorized
13 representative in accordance with this section shall not expose any person,
14 agency, or entity furnishing information to liability, and shall not be
15 considered a waiver of any privilege or a violation of a confidential
16 relationship.

17 (d) The cabinet shall maintain an accurate record of all persons who are given
18 access to information collected by the cabinet pursuant to this section,
19 which shall include:

20 1. The name of the person authorizing access;

21 2. Name, title, address, and organizational affiliation of persons given
22 access;

23 3. Dates of access; and

24 4. The specific purpose for which accessed information is to be used.

25 The record of access shall be open to public inspection during normal
26 operating hours of the cabinet.

27 (e) Notwithstanding any other provision of law, information collected by the

1 cabinet pursuant to this section shall not be:

2 1. Available for subpoena or disclosed, discoverable, or compelled to be
3 produced in any civil, criminal, administrative, or other proceeding; or

4 2. Deemed admissible as evidence in any civil, criminal, administrative,
5 or other proceeding for any reason.

6 (9) This section does not:

7 (a) Prohibit the publication by the cabinet of reports and statistical
8 compilations that do not in any way identify individual patients, cases, or
9 sources of information;

10 (b) Restrict in any way a patient's access to his or her own information; or

11 (c) Prohibit health facilities or licensed health care providers from maintaining
12 their own facility-based Parkinson's disease registries.

13 (10) (a) Nothing in this section shall be deemed to compel any individual to submit
14 to any medical examination or supervision by the cabinet, any of its
15 authorized representatives, or an approved researcher.

16 (b) A person who seeks information or obtains registry data pursuant to this
17 section shall not contact a patient on the registry or the patient's family
18 unless the cabinet has first obtained permission for the contact from the
19 patient or the patient's family.

20 (11) The cabinet shall provide notice of the mandatory reporting of Parkinson's
21 disease and Parkinsonisms required under this section on its website and to
22 professional associations representing health facilities and licensed health care
23 providers.

24 (12) (a) By October 1, 2027, and October 1 of each year thereafter, the cabinet shall
25 submit to the Legislative Research Commission for referral to the Interim
26 Joint Committee on Health Services a yearly program summary update that
27 includes:

- 1 1. The incidence and prevalence of Parkinson's disease and
2 Parkinsonisms in the state by county;
3 2. The number of records that have been reported to the cabinet and
4 included in the registry; and
5 3. Demographic information, including but not limited to patients' age,
6 gender, and race.
- 7 (b) In consultation with the advisory committee, the cabinet may include
8 recommendations on necessary changes to the registry in the yearly
9 program summary update.
- 10 (c) The cabinet shall publish the yearly program summary update in a
11 downloadable format on the website created under subsection (13) of this
12 section.
- 13 (13) By October 1, 2027, the cabinet shall create, and update annually thereafter, the
14 Kentucky Parkinson's Disease Research Registry website where the public can
15 find information related to the Parkinson's disease and the registry, the yearly
16 program summary update, and any other information deemed relevant by the
17 advisory committee.