

SB26-149

## HOUSE FLOOR AMENDMENT

Second Reading BY REPRESENTATIVES McCluskie &amp; Caldwell

1 Amend reengrossed bill, page 128, line 23, strike "and (11)" and  
2 substitute "(11), and (12)".

3 Page 131, after line 4 insert:

4 "(12) (a) THIS ARTICLE 65 DOES NOT REQUIRE A COVERED ENTITY,  
5 AS DEFINED IN THE FEDERAL "HEALTH INSURANCE PORTABILITY AND  
6 ACCOUNTABILITY ACT OF 1996", 42 U.S.C. SECS. 1320d TO 1320d-9, TO  
7 USE OR DISCLOSE PROTECTED HEALTH INFORMATION OR OTHER  
8 PERSONALLY IDENTIFIABLE INFORMATION IN A MANNER THAT IS  
9 INCONSISTENT WITH, OR EXCEEDS THE REQUIREMENTS OF, THE FEDERAL  
10 LAW AND ITS IMPLEMENTING REGULATIONS, INCLUDING 45 CFR 160 AND  
11 45 CFR 164.

12 (b) CONSISTENT WITH THE FEDERAL "HEALTH INSURANCE  
13 PORTABILITY AND ACCOUNTABILITY ACT OF 1996", 42 U.S.C. SECS.  
14 1320d TO 1320d-9, AND ITS IMPLEMENTING REGULATIONS, A COVERED  
15 ENTITY MAY USE OR DISCLOSE PROTECTED HEALTH INFORMATION FOR  
16 TREATMENT, PAYMENT, AND HEALTH-CARE OPERATIONS, INCLUDING  
17 DISCLOSURES NECESSARY TO SUPPORT CARE COORDINATION AND THE  
18 MANAGEMENT OF AN INDIVIDUAL'S CARE, AS AUTHORIZED PURSUANT TO  
19 45 CFR 164.506.

20 (c) ANY USE OR DISCLOSURE OF PROTECTED HEALTH INFORMATION  
21 PURSUANT TO THIS ARTICLE 65 MUST COMPLY WITH THE MINIMUM  
22 NECESSARY STANDARDS SET FORTH IN 45 CFR 164.502 (b) AND 45 CFR  
23 164.514 (d), AS APPLICABLE."

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