

SB169_L.040

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB16-169 be amended as follows:

- 1 Amend reengrossed bill, page 9, line 5, after "(4.5)" insert "(a)".
- 2 Page 9, line 16, strike "(a)" and substitute "(I)".
- 3 Page 9, line 17, strike "(b)" and substitute "(II)".
- 4 Page 9, line 20, strike "(c)" and substitute "(III)".
- 5 Page 9, line 23, strike "(d)" and substitute "(IV)".
- 6 Page 9, after line 24 add:

7 "(b) ANY INFORMATION AGGREGATED AND PROVIDED TO THE
8 DEPARTMENT PURSUANT TO THIS SUBSECTION (4.5) IS PRIVILEGED AND
9 CONFIDENTIAL AND MUST NOT BE MADE AVAILABLE TO THE PUBLIC
10 EXCEPT IN AN AGGREGATE FORMAT THAT CANNOT BE USED TO IDENTIFY
11 AN INDIVIDUAL FACILITY. THE INFORMATION IS NOT SUBJECT TO CIVIL
12 SUBPOENA AND IS NOT DISCOVERABLE OR ADMISSIBLE IN ANY CIVIL,
13 CRIMINAL, OR ADMINISTRATIVE PROCEEDING AGAINST AN EMERGENCY
14 MEDICAL SERVICES FACILITY, LAW ENFORCEMENT FACILITY, HEALTH CARE
15 PROFESSIONAL, OR LAW ENFORCEMENT OFFICER. IT MUST BE USED ONLY
16 TO ASSESS NEEDS AND PLAN FOR SUFFICIENT LEVELS OF BEHAVIORAL
17 HEALTH SERVICES IN THE STATE. IN THE COLLECTION OF DATA TO
18 ACCOMPLISH THE REQUIREMENTS OF THIS SUBSECTION (4.5), THE
19 DEPARTMENT SHALL PROTECT THE CONFIDENTIALITY OF PATIENT RECORDS
20 IN ACCORDANCE WITH STATE AND FEDERAL LAWS AND NOT DISCLOSE ANY
21 PUBLIC IDENTIFYING OR PROPRIETARY INFORMATION OF ANY HOSPITAL,
22 HOSPITAL ADMINISTRATOR, HEALTH CARE PROFESSIONAL, OR EMPLOYEE."

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