February 27, 2009

Madam President:

   Your **JUDICIARY COMMITTEE,** to whom has been referred

SENATE BILL 278

has had it under consideration and reports same with recommendation
that it **DO PASS,** amended as follows:

   1. On page 2, line 6, after "provide", insert ", give access
to".

   2. On page 2, line 7, after "divulge" strike the remainder of
the line and strike lines 8 and 9 in their entirety and insert in
lieu thereof "in any other manner information outside the entity
holding the information;".

   3. On page 4, line 4, after "provider", insert ", by or within
a health care institution".

   4. On page 5, line 12, after "rule", insert ", except for a
court rule".

   5. On page 5, lines 18 and 19, strike "after it was first
generated and in its final form as an electronic medical record or
otherwise".

   6. On page 7, line 2, strike "health information exchange
maintaining a".

   7. On page 7, line 21, strike "reasonable" and after "fee",
insert "not to exceed twenty-five cents ($.25) per page".

   8. On page 7, line 22, after "health", insert a period and
strike the remainder of the line and strike lines 23 and 24 in their
entirety.

9.   On page 7, line 25, strike "person operating a" and strike "or a".

10.   On page 8, line 1, strike "health information exchange".

11.   On page 8, line 9, after "days", insert a period and strike the remainder of the line, strike lines 10 through 12 and strike line 13 through the period.

12.   On page 9, line 7, after "disclosed", insert a colon and the paragraph designation "(1)".

13.   On page 9, line 9, strike the second occurrence of "the" and insert in lieu thereof "any".

14.   On page 9, line 10, strike the period and insert in lieu thereof "; and".

15.   On page 9, between lines 10 and 11, insert the following new paragraph:

        "(2)   except as provided in the Electronic Medical Records Act, to a record locator service or a health information exchange for the development and operation of the record locator service and the health information exchange.".

16.   On page 9, lines 11 through 21, strike Subsection H in its entirety.

Respectfully submitted,

_____
Cisco McSorley, Chairman

Adopted_____ Not Adopted_____
       (Chief Clerk)   (Chief Clerk)

Date _____

The roll call vote was__7_ For _1_ Against
Yes: 7
No: Payne
Excused: Eichenberg, Lopez, Sanchez, M.
Absent: None

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                                                               .177425.1