

HB0213/843223/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 213
(First Reading File Bill)

On page 2, in line 1, after “means” insert “:

(I)”;

in the same line, strike “an” and substitute “AN INDIVIDUAL OR”; in line 5, strike “SERVICE” and substitute “SERVICES”; in line 6, after “information” insert “:

1.”;

in the same line, strike “between or among” and substitute “AMONG MORE THAN TWO”; in lines 6 and 7, strike “health care providers” and substitute “INDIVIDUALS”; in line 8, after “OTHER” insert “;AND

2.”;

in line 9, before “FOR” insert “THAT IS”; in line 10, after “164.501” insert “,
REGARDLESS OF WHETHER THE INDIVIDUALS OR ENTITIES ARE SUBJECT TO THE REQUIREMENTS OF 45 C.F.R. PARTS 160 AND 164; OR

(II) A HEALTH INFORMATION TECHNOLOGY DEVELOPER OF CERTIFIED HEALTH INFORMATION TECHNOLOGY THAT DEVELOPS OR OFFERS HEALTH INFORMATION TECHNOLOGY, AS THAT TERM IS DEFINED IN 42 U.S.C. 300JJ(5), AND HAS ONE OR MORE HEALTH INFORMATION TECHNOLOGY MODULES CERTIFIED UNDER A PROGRAM FOR THE VOLUNTARY CERTIFICATION OF HEALTH INFORMATION TECHNOLOGY THAT IS KEPT OR RECOGNIZED BY THE NATIONAL COORDINATOR IN ACCORDANCE WITH 42 U.S.C. 300JJ-11(C)(5)”; in line 13, after “ownership” insert “IF THE ORGANIZATIONAL AND TECHNICAL PROCESSES THE ENTITY PROVIDES OR GOVERNS ARE FOR HEALTH CARE

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TREATMENT, PAYMENT, OR HEALTH CARE OPERATIONS PURPOSES, AS THOSE TERMS ARE DEFINED IN 45 C.F.R. § 164.501"; strike in their entirety lines 14 through 17, inclusive; in line 18, strike "1." and substitute "(II)"; in the same line, after "Article" insert "IF THE ORGANIZATIONAL AND TECHNICAL PROCESSES THE CARRIER PROVIDES OR GOVERNS ARE FOR HEALTH CARE TREATMENT, PAYMENT, OR HEALTH CARE OPERATIONS PURPOSES, AS THOSE TERMS ARE DEFINED IN 45 C.F.R. § 164.501"; in line 21, strike "2." and substitute "(III)"; in line 22, after "Article" insert ", IF THE ORGANIZATIONAL AND TECHNICAL PROCESSES THE ADMINISTRATOR PROVIDES OR GOVERNS ARE FOR HEALTH CARE TREATMENT, PAYMENT, OR HEALTH CARE OPERATIONS PURPOSES, AS THOSE TERMS ARE DEFINED IN 45 C.F.R. § 164.501"; in line 23, strike "3." and substitute "(IV)"; in line 24, after "SECTION" insert ", IF THE ORGANIZATIONAL AND TECHNICAL PROCESSES THE HEALTH CARE PROVIDER PROVIDES OR GOVERNS ARE FOR HEALTH CARE TREATMENT, PAYMENT, OR HEALTH CARE OPERATIONS PURPOSES, AS THOSE TERMS ARE DEFINED IN 45 C.F.R. § 164.501"; and in lines 25 and 29, strike "(III)" and "(IV)", respectively, and substitute "(V)" and "(VI)", respectively.

On page 4, after line 4, insert:

"(I) THE DEPARTMENT, THE MARYLAND HEALTH CARE COMMISSION, OR THE HEALTH SERVICES COST REVIEW COMMISSION FROM USING ELECTRONIC HEALTH INFORMATION, SUBJECT TO FEDERAL AND STATE LAW, FOR HEALTH REGULATORY AND PUBLIC HEALTH FUNCTIONS;"

in lines 5 and 8, strike "(I)" and "(II)", respectively, and substitute "(II)" and "(III)", respectively; in line 6, strike "FEDERAL LAW OR"; in line 7, after "ARTICLE;" insert "OR"; in line 9, after "EXCHANGED" insert "UNDER FEDERAL LAW, INCLUDING"; strike beginning with "; OR" in line 10 down through "COMMISSION" in line 15; and after line 15, insert:

“(3) THIS SECTION DOES NOT PROHIBIT THE COMMISSION FROM ADOPTING REGULATIONS THAT ARE MORE STRINGENT THAN FEDERAL LAW IN ACCORDANCE WITH 45 C.F.R. § 160.203.”