

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 483

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “a”; in the same line, strike “exception” and substitute “exceptions; specifying that certain provisions of law do not prohibit the disclosure of personal notes to certain recipients”; in the same line, after “of” insert “certain portions of”.

AMENDMENT NO. 2

On page 2, in line 35, strike “AND”; after line 35, insert:

“(II) MAINTAINS THE PERSONAL NOTE SEPARATE FROM THE MEDICAL RECORD; AND”;

and in line 36, strike “(II)” and substitute “(III)”.

AMENDMENT NO. 3

On page 3, in line 3, strike “OR”; in line 4, after the comma insert “OR A RECIPIENT UNDER PARAGRAPH (5) OF THIS SUBSECTION,”; and after line 5, insert:

“(5) THE PROVISIONS OF THIS SUBSECTION DO NOT PROHIBIT THE DISCLOSURE OF A PERSONAL NOTE TO A RECIPIENT WHO MAY HAVE A CLAIM FOR MALPRACTICE OR PROFESSIONAL NEGLIGENCE AGAINST THE HEALTH CARE PROVIDER.”.

AMENDMENT NO. 4

On page 3, in line 6, strike “AND” and substitute a comma; in the same line, after “(4)” insert “, AND (5)”; and after line 25 insert:

(Over)

“(5) THE PROVISIONS OF THIS SUBSECTION MAY NOT RESTRICT ACCESS TO OR AFFECT THE DISCLOSURE OF A MEDICAL RECORD WHICH IS ALSO AN EDUCATION RECORD UNDER THE FEDERAL INDIVIDUALS WITH DISABILITIES EDUCATION ACT, THE FEDERAL FAMILY EDUCATION RIGHTS AND PRIVACY ACT, OR ANY FEDERAL AND STATE REGULATIONS THAT HAVE BEEN ADOPTED TO IMPLEMENT THOSE LAWS.”.

AMENDMENT NO. 5

On page 3, in line 7, after the first “A” insert “PORTION OF A”; in line 10, after “DISCLOSE” insert “THAT PORTION OF”; in line 12, after “THE” insert “PORTION OF THE”; and in the same line, after “RECORD” insert “RELATING TO A PSYCHOLOGICAL TEST”.

AMENDMENT NO. 6

On page 3, in line 16, after “ARTICLE” insert “OR A PSYCHIATRIST LICENSED UNDER TITLE 14 OF THE HEALTH OCCUPATIONS ARTICLE”.