

**HB0399/446781/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 399

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and K. Young” and substitute “, K. Young, Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Rose, Saab, Sample-Hughes, and West”; in line 3, after “providers” insert “and certain medical laboratories”; in line 4, after “provider” insert “or the medical laboratory”; in the same line, strike “orders” and substitute “performs”; and strike beginning with “providing” in line 5 down through “notice;” in line 6 and substitute “authorizing the Department of Health and Mental Hygiene to adopt certain regulations under certain circumstances; requiring the Department to provide certain written notice to certain committees of the General Assembly before submitting certain regulations for publication in the Maryland Register; prohibiting the provision of a certain notice from being the sole basis for a cause of action;”.

AMENDMENT NO. 2

On page 1, strike beginning with “SHALL” in line 19 down through “DISEASE” in line 21 and substitute “WHO DRAWS THE BLOOD OF A PATIENT TO PERFORM A LABORATORY TEST FOR LYME DISEASE OR A MEDICAL LABORATORY, AS DEFINED IN § 17-201 OF THIS ARTICLE, THAT PERFORMS A LABORATORY TEST FOR THE PRESENCE OF LYME DISEASE SHALL PROVIDE THE FOLLOWING WRITTEN NOTICE TO THE PATIENT AT THE TIME THE PATIENT’S BLOOD IS DRAWN”.

On page 2, in line 8, after “OR” insert “INITIAL OR”; after line 9, insert:

“(B) IF THE DEPARTMENT FINDS SIGNIFICANT DIFFERENCES BETWEEN THE CONTENT OF THE NOTICE REQUIRED BY SUBSECTION (A) OF THIS SECTION AND CURRENT MEDICAL EVIDENCE ON LYME DISEASE TESTING, THE

(Over)

DEPARTMENT MAY ADOPT REGULATIONS THAT CHANGE THE CONTENT OF THE NOTICE.

(C) THE DEPARTMENT SHALL PROVIDE WRITTEN NOTICE TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE BEFORE SUBMITTING ANY PROPOSED REGULATION UNDER SUBSECTION (B) OF THIS SECTION TO THE MARYLAND REGISTER FOR PUBLICATION.”;

and strike in their entirety lines 10 through 13, inclusive, and substitute:

“(D) THE PROVISION BY A HEALTH CARE PROVIDER OR MEDICAL LABORATORY OF THE NOTICE REQUIRED BY SUBSECTION (A) OF THIS SECTION MAY NOT BE THE SOLE BASIS FOR A CAUSE OF ACTION.”.