ARKANSAS SENATE

85th General Assembly - Regular Session, 2005
Amendment Form

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Subtitle of House Bill No. 1688

"AN ACT TO CREATE THE PATIENT MEDICAL RECORDS PRIVACY ACT."

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Amendment No. 1 to House Bill No. 1688.

Amend House Bill No. 1688 as engrossed, H2/21/05 (version: 02-21-2005 08:42):

Page 1, delete lines 12 through 14, and substitute the following:
"HAVE BEEN RECEIVED OR OBTAINED; TO ESTABLISH"

AND

Page 2, line 13, delete "requests" and substitute "receives or obtains"

AND

Page 2, line 16, delete "request" and substitute "receipt of the records"

AND

Page 2, delete line 26, and substitute the following:
"the transmittal was received.
    (c) The notice required by subsection (a) of this section shall include the name and address of the provider for each record which was obtained."
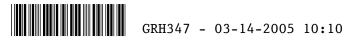
AND

Page 2, delete lines 28 through 36, and substitute the following:
    "16-46-404. Use of medical records at trial."

AND

Page 3, delete lines 1 and 2, and substitute the following:
    "If notice is not given as required by § 16-46-403, a party in litigation shall be"

AND

Page 3, delete lines 7 and 8, and substitute the following:

"<u>16-46-405. Scope of subchapter.</u>
<u>   (a) This subchapter shall apply to private litigants in civil actions</u>
<u>only</u>"

AND

Page 3, delete line 10, and substitute the following:
"<u>entity in any other type of legal proceeding, including, but not limited to,</u>
<u>actions under the Workers' Compensation Law, § 11-9-101 et seq.</u>
<u>   (b) All provisions of this subchapter shall be subject to the Health</u>
<u>Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191.</u>
<u>   (c) Upon adoption of a Supreme Court rule which is substantially</u>
<u>similar to the provisions of this subchapter, this subchapter shall be deemed</u>
<u>superseded.</u>"

The Amendment was read the first time, rules suspended and read the second time and _____
By: Senator J. Bookout
GRH/GRH - 03-14-2005 10:10   _____
GRH347   **Secretary**