

ARKANSAS SENATE
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of House Bill No. 1470

"AN ACT TO PRESERVE THE CONFIDENTIALITY OF HEALTH DATA IN ARKANSAS."

Amendment No. 1 to House Bill No. 1470.

Amend House Bill No. 1470 as originally introduced:

Page 1, delete line 19 through 31 and substitute the following:

SECTION 1. Arkansas Code § 20-7-305 is amended to read as follows:
20-7-305. State Board of Health to prescribe rules and regulations -
Data collected not subject to discovery.

(a) The State Board of Health shall prescribe and enforce such rules and regulations as may be necessary to carry out the purpose of this subchapter, including the manner in which data are collected, maintained, compiled, and disseminated, and including such rules as may be necessary to promote and protect the confidentiality of data reported under this subchapter.

(b) Provided further, that data provided, collected, or disseminated under this subchapter which identifies, or could be used to identify, any individual patient, provider, institution, or health plan shall not be subject to discovery pursuant to the Arkansas Rules of Civil Procedure or the Freedom of Information Act of 1967, § 25-19-101 et seq.

(c) The Department of Health may, only for purposes of research and aggregate statistical reporting, provide data to the Arkansas Center for Health Improvement and the Agency for Healthcare Research and Quality for its Healthcare Cost and Utilization Project. The data shall be treated in a manner consistent with all state and federal privacy requirements, including, without limitation, the federal HIPAA Privacy Rule, specifically 45 C.F.R. § 164.512(i).



The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Malone
SFI/SFI - 02-28-2005 13:08
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Secretary