

HB0974/443190/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 974
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “given;” insert “providing that a certain business and a certain affiliate that comply with a certain federal law shall be deemed to be in compliance with certain provisions of law;”; in the same line, strike “a”; in the same line, strike “term” and substitute “terms”; in line 11, after “definitions;” insert “providing for a delayed effective date;”; in line 16, strike “and”; in the same line, after “14-3506” insert “, and 14-3507”; and in line 21, strike “, 14-3507”.

AMENDMENT NO. 2

On page 2, in line 13, after “ADOPTED” insert “OR APPROVED”; after line 18, insert:

“(D) “HEALTH INFORMATION” HAS THE MEANING STATED IN 45 C.F.R. § 160.103.”;

in line 19, strike “(d)” and substitute “**(E)**”; and in line 31, strike “MEDICAL” and substitute “**HEALTH**”.

On page 3, in line 1, after “POLICY” insert “**OR CERTIFICATE**”; in line 3, after “INSURER” insert “**OR AN EMPLOYER THAT IS SELF-INSURED**”; in lines 3 and 6, in each instance, strike “WOULD PERMIT” and substitute “**PERMITS**”; in line 4, strike “MEDICAL” and substitute “**HEALTH**”; in line 7, strike “ONLINE” and substitute “**E-MAIL**”; in the same line, after “ACCOUNT” insert “**OR FINANCIAL ACCOUNT**”; in line 8, strike “ANY BIOMETRIC” and substitute “**BIOMETRIC**”; in the same line, after “INCLUDING” insert “**DATA GENERATED BY AUTOMATIC MEASUREMENTS OF AN INDIVIDUAL’S BIOLOGICAL CHARACTERISTICS SUCH AS**”; in line 9, strike the first

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“OR”; in the same line, after “IMAGE,” insert “OR OTHER UNIQUE BIOLOGICAL CHARACTERISTIC.”; in line 10, strike “IDENTIFY THE INDIVIDUAL” and substitute “UNIQUELY AUTHENTICATE THE INDIVIDUAL’S IDENTITY WHEN THE INDIVIDUAL ACCESSES A SYSTEM OR ACCOUNT”; in line 18, strike “(E)” and substitute “(F)”; in line 19, after “PRACTICES” insert “THAT:

(1) ARE;

in the same line, after “FAITH” insert a semicolon; in the same line, strike “AND SET” and substitute:

(2) ARE SET;

in line 20, after “POLICY” insert a semicolon; in lines 20 and 21, strike “THAT CLEARLY DEMONSTRATES THAT THE PROCEDURES AND PRACTICES:”; in lines 22, 23, 27, and 30, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(3)”, “(4)”, “(5)”, and “(6)”, respectively; in line 22, strike “COORDINATE” and substitute “DESIGNATE ONE OR MORE EMPLOYEES OR CONTRACTORS TO COORDINATE”; in line 26, strike “ANY” and substitute “EXISTING”; in the same line, after the second “THE” insert “IDENTIFIED”; in line 28, strike “CONTROL” and substitute “ADDRESS”; and in line 30, after “PROVIDER” insert “ENTERED INTO ON OR AFTER JANUARY 1, 2018”.

On page 4, in line 1, strike “(5)” and substitute “(7)”; in the same line, after “PROGRAM” insert “PERIODICALLY”; strike beginning with “THE” in line 3 down through “(II)” in line 5; in line 7, strike “(III)” and substitute “(II)”; in the same line, strike “CIRCUMSTANCES” and substitute “NEW CIRCUMSTANCES”; in lines 7 and 8, strike “HAS REASON TO KNOW” and substitute “SHOULD KNOW”; and in line 10, strike “(F)” and substitute “(G)”.

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On page 5, in lines 12, 15, 22, and 25, in each instance, strike “ACCESSING OR”; in line 21, after “WHETHER” insert “THERE IS A REASONABLE LIKELIHOOD THAT”; strike beginning with the bracket in line 22 down through “misused” in line 23 and substitute “OCCURRED OR WILL OCCUR”; in line 23, strike “] OCCURRED”; and in line 30, strike “30” and substitute “45”.

On page 6, in line 4, strike “ACCESSING OR”; and in line 8, strike “30” and substitute “45”.

On page 8, in line 23, after “(c)(1)” insert “OR (D)(1)”.

On page 9, after line 6, insert:

“(D) (1) A BUSINESS THAT IS SUBJECT TO AND IN COMPLIANCE WITH THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 SHALL BE DEEMED TO BE IN COMPLIANCE WITH THIS SUBTITLE.

“(2) AN AFFILIATE THAT IS IN COMPLIANCE WITH THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 SHALL BE DEEMED TO BE IN COMPLIANCE WITH THIS SUBTITLE.”;

in line 14, strike “October” and substitute “January”; and in the same line, strike “2017” and substitute “2018”.