

SB073\_L.003

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

SB19-073 be amended as follows:

- 1 Amend proposed committee amendment (SB073\_L.002), page 2, strike  
 2 lines 10 through 35 and substitute:  
 3 **"25-51-102. Statewide system for advance directives created**  
 4 **- rules.** (1) THE DEPARTMENT HAS THE FOLLOWING POWERS AND DUTIES  
 5 WITH RESPECT TO THE PROVISION OF A STATEWIDE ELECTRONIC SYSTEM,  
 6 REFERRED TO IN THIS SECTION AS THE "SYSTEM", THAT ALLOWS QUALIFIED  
 7 INDIVIDUALS TO UPLOAD AND ACCESS ADVANCE MEDICAL DIRECTIVES:  
 8 (a) TO ENSURE THAT QUALIFIED INDIVIDUALS MAY ACCESS THE  
 9 SYSTEM FOR TREATMENT PURPOSES THAT ARE ALLOWED UNDER THE  
 10 FEDERAL "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT  
 11 OF 1996", PUB.L. 104-191, AS AMENDED;  
 12 (b) TO CONTRACT WITH ONE OR MORE HEALTH INFORMATION  
 13 ORGANIZATION NETWORKS FOR THE CREATION, ADMINISTRATION, AND  
 14 MAINTENANCE OF THE SYSTEM; AND  
 15 (c) TO PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF  
 16 TITLE 24 TO OVERSEE THE PROVISIONS OF THIS ARTICLE 51, INCLUDING BUT  
 17 NOT LIMITED TO RULES ESTABLISHING:  
 18 (I) CRITERIA FOR QUALIFIED INDIVIDUALS TO HAVE ACCESS TO THE  
 19 SYSTEM AND ADVANCE MEDICAL DIRECTIVES;  
 20 (II) PROCEDURES BY WHICH A QUALIFIED INDIVIDUAL MAY ADD OR  
 21 REMOVE AN ADVANCE MEDICAL DIRECTIVE TO OR FROM THE SYSTEM;  
 22 (III) PROCEDURES BY WHICH A QUALIFIED INDIVIDUAL MAY  
 23 ACCESS AND DOWNLOAD AN ADVANCE MEDICAL DIRECTIVE FROM THE  
 24 SYSTEM; AND  
 25 (IV) PROCEDURES AND SAFEGUARDS FOR ENSURING THE  
 26 CONFIDENTIALITY AND SECURE STORAGE OF THE INFORMATION  
 27 CONTAINED IN AN ADVANCE MEDICAL DIRECTIVE THAT IS ADDED TO AND  
 28 MAINTAINED IN THE SYSTEM."  
 29 Renumber succeeding subsections accordingly.

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