

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.

** **