

SB207_L.005

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.SB17-207 be amended as follows:

- 1 Amend printed bill, page 19, after line 10 insert:
 2 "(7) (a) ON OR BEFORE JULY 1, 2017, AND EACH JULY 1
 3 THEREAFTER, EACH EMERGENCY MEDICAL SERVICES FACILITY THAT HAS
 4 TREATED A PERSON PURSUANT TO THIS SECTION SHALL PROVIDE AN
 5 ANNUAL REPORT TO THE DEPARTMENT THAT INCLUDES ONLY AGGREGATE
 6 AND NONIDENTIFYING INFORMATION CONCERNING PERSONS WHO WERE
 7 TREATED AT AN EMERGENCY MEDICAL SERVICES FACILITY PURSUANT TO
 8 THIS SECTION. THE REPORT MUST COMPLY WITH THE PROVISIONS OF
 9 SECTION 24-1-136 (9) AND IS EXEMPT FROM THE PROVISIONS OF SECTION
 10 24-1-136 (11)(a)(I). THE REPORT MUST CONTAIN THE FOLLOWING:
- 11 (I) THE NAMES AND COUNTIES OF THE FACILITIES;
 - 12 (II) THE TOTAL NUMBER OF PERSONS TREATED PURSUANT TO THIS
 13 SECTION, INCLUDING A SUMMARY OF DEMOGRAPHIC INFORMATION;
 - 14 (III) A SUMMARY REGARDING THE DIFFERENT REASONS FOR WHICH
 15 PERSONS WERE TREATED PURSUANT TO THIS SECTION; AND
 - 16 (IV) A SUMMARY OF THE DISPOSITION OF PERSONS TRANSFERRED
 17 TO A DESIGNATED FACILITY.
- 18 (b) (I) ANY INFORMATION AGGREGATED AND PROVIDED TO THE
 19 DEPARTMENT PURSUANT TO THIS SUBSECTION (7) IS PRIVILEGED AND
 20 CONFIDENTIAL. SUCH INFORMATION MUST NOT BE MADE AVAILABLE TO
 21 THE PUBLIC EXCEPT IN AN AGGREGATE FORMAT THAT CANNOT BE USED TO
 22 IDENTIFY AN INDIVIDUAL FACILITY. THE INFORMATION IS NOT SUBJECT TO
 23 CIVIL SUBPOENA AND IS NOT DISCOVERABLE OR ADMISSIBLE IN ANY CIVIL,
 24 CRIMINAL, OR ADMINISTRATIVE PROCEEDING AGAINST AN EMERGENCY
 25 MEDICAL SERVICES FACILITY OR HEALTH CARE PROFESSIONAL. THE
 26 INFORMATION MUST BE USED ONLY TO ASSESS STATEWIDE BEHAVIORAL
 27 HEALTH SERVICES NEEDS AND TO PLAN FOR SUFFICIENT LEVELS OF
 28 STATEWIDE BEHAVIORAL HEALTH SERVICES. IN THE COLLECTION OF DATA
 29 TO ACCOMPLISH THE REQUIREMENTS OF THIS SUBSECTION (7), THE
 30 DEPARTMENT SHALL PROTECT THE CONFIDENTIALITY OF PATIENT
 31 RECORDS, IN ACCORDANCE WITH STATE AND FEDERAL LAWS, AND SHALL
 32 NOT DISCLOSE ANY PUBLIC IDENTIFYING OR PROPRIETARY INFORMATION
 33 OF ANY HOSPITAL, HOSPITAL ADMINISTRATOR, HEALTH CARE
 34 PROFESSIONAL, OR EMPLOYEE OF A HEALTH CARE FACILITY.
- 35 (II) SUBSECTION (7)(b)(I) OF THIS SECTION DOES NOT APPLY TO
 36 INFORMATION THAT IS OTHERWISE AVAILABLE FROM A SOURCE OUTSIDE
 37 OF THE DATA COLLECTION ACTIVITIES REQUIRED PURSUANT TO
 38 SUBSECTION (7)(a) OF THIS SECTION."

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