

1st Sub. H.B. 209
HEALTH DATA AUTHORITY AMENDMENTS

SENATE FLOOR AMENDMENTS

AMENDMENT 1

MARCH 5, 2020 3:27 PM

Senator **Evan J. Vickers** proposes the following amendments:

1. *Page 2, Lines 36 through 38:*

36 (2) (a) The committee may ~~{only}~~ disclose identifiable health data to the department or a
37 public health authority under Subsection (1)(b) if:
38 (i) the department ~~{of}~~ or the public health authority has clear statutory authority to possess

2. *Page 2, Lines 47 through 53:*

47 ~~[(a)]~~ (i) whether the request comes from a person after that person has received
48 approval to do the specific research ~~{and}~~ or statistical work from an institutional review board; and
49 ~~[(b)]~~ (ii) whether the requesting entity complies with the provisions of Subsection ~~[(3)]~~
50 (4).
{51 ~~—————~~ (b) Identifiable health data may not be disclosed if the identifiable health data is
52 confidential under 42 C.F.R. Part 2, Confidentiality of Substance Use Disorder Patient
53 Records.}

3. *Page 3, Lines 57 through 61:*

57 (b) be solely for bona fide research ~~{and}~~ or statistical purposes as determined in
58 accordance with administrative rules adopted by the department in accordance with Title 63G,
59 Chapter 3, Utah Administrative Rulemaking Act, which shall require:
60 (i) the requesting entity to demonstrate to the department that the data is required for
61 the research ~~{and}~~ or statistical purposes proposed by the requesting entity; and

4. *Page 3, Line 67:*

67 (b) unless the identifiable health data is disclosed or identified by control number only.
(6) Identifiable health data that has been designated by a data supplier as being subject to regulation
under 42 C.F.R. Part 2, Confidentiality of Substance Use Disorder Patient Records, may only be used or
disclosed in accordance with applicable federal regulations.