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**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 350 by Representative Stuart Bishop

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1 AMENDMENT NO. 1

2 On page 1, line 3, delete "1300.117" and insert "1300.116"

3 AMENDMENT NO. 2

4 On page 1, line 9, delete "to provide requirements for data use agreements;"

5 AMENDMENT NO. 3

6 On page 1, line 13, delete "1300.117" and insert "1300.116"

7 AMENDMENT NO. 48 On page 2, line 7, delete "for use in research endeavors intended"9 AMENDMENT NO. 5

10 On page 2, between lines 11 and 12, insert:

- 11 "(1) "Confidential information" means at least one of the following:  
 12 (a) Patient level data elements that could be used alone or in combination  
 13 with other available data elements to identify a patient.  
 14 (b) Information requested that the department determines will be utilized for  
 15 business or commercial purposes, including but not limited to market analysis and  
 16 software development.  
 17 (c) Protected health information as defined in the HIPAA Privacy Rule, 45  
 18 CFR Part 164, and R.S. 29:762."

19 AMENDMENT NO. 6

20 On page 2, line 12, delete "(1)" and insert "(2)"

21 AMENDMENT NO. 7

22 On page 2, line 13, delete "(2)" and insert "(3)"

23 AMENDMENT NO. 8

24 On page 2, line 15, delete "(3)" and insert "(4)"

25 AMENDMENT NO. 926 On page 3, line 19, delete "Include appropriate risk-adjustment" and insert "Include, when  
27 appropriate, risk-adjustment"28 AMENDMENT NO. 1029 On page 4, line 25, after "40:1300.113." delete the remainder of the line and delete lines 26  
30 through 29 in its entirety31 AMENDMENT NO. 1132 On page 5, line 4, delete "shall" and insert "may"

1 AMENDMENT NO. 12

2 On page 5, line 9, delete "Louisianians" and insert "Louisianans"

3 AMENDMENT NO. 13

4 On page 5, line 10 after "shall" delete the remainder of the line and delete lines 11 through  
5 28 in its entirety, delete page 6 in its entirety, and delete on page 7, lines 1 through 20 in its  
6 entirety, and insert:

7 "not release confidential or protected health information collected from  
8 hospitals and other health care providers pursuant to this Part. The department shall  
9 adhere to and comply fully with appropriate privacy protection protocols that are at  
10 least as stringent as the HIPAA Privacy Rule.

11 B. Notwithstanding Subsection A of this Section, the department may release  
12 data collected pursuant to this Part for the purpose of conducting health care research  
13 which is a systematic investigation, including research development, testing and  
14 evaluation, designed to develop or contribute to generalizable knowledge. All  
15 requests for data collected pursuant to this Part shall be submitted to the department  
16 and reviewed by the department's Institutional Review Board. The department shall  
17 deny any requests for data that it determines will be utilized for business or  
18 commercial purposes, including but not limited to market analysis and software  
19 development. The department shall have one representative of the provider group  
20 whose data is subject to the data release on the Institutional Review Board.

21 C. Each data request shall state the proposed use of the data requested and  
22 include an affirmation by the recipient that no attempts will be made to combine  
23 patient level data provided for in the request with other data to identify patients and  
24 that no confidential information shall be released.

25 D. The department shall inform the Health Data Panel prior to the release of  
26 requested data collected pursuant to this Part."

27 AMENDMENT NO. 14

28 On page 7, line 21, delete "§1300.117." and insert "§1300.116."