



Rep. Sara Feigenholtz

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09800HB1017ham001

LRB098 04914 HEP 41510 a

1 AMENDMENT TO HOUSE BILL 1017

2 AMENDMENT NO. _____. Amend House Bill 1017 on page 1, line
3 6, by replacing "and 11" with "11, and 13"; and

4 on page 10, by replacing line 7 with the following:

5 "admission, treatment, planning, coordinating care, ~~or~~
6 discharge, or governmentally mandated public health reporting.

7 Entities shall"; and

8 on page 13, line 12, by changing "standards, and contractual"
9 to "standards, or contractual"; and

10 on page 13, line 18, after "reporting.", by inserting the
11 following:

12 "These rules, standards, or contractual obligations shall
13 permit a recipient to revoke a prior decision to opt-out or a
14 decision not to opt-out."; and

1 on page 14, line 4, after "parties.", by inserting the
2 following:

3 "The Illinois Health Information Exchange Authority shall,
4 through appropriate rules, standards, or contractual
5 obligations binding upon HIE participants, give consideration
6 to the format and content of the meaningful disclosure and the
7 availability to recipients of information regarding an HIE and
8 the rights of recipients under this Section to expressly
9 decline the further disclosure of the record by an HIE to third
10 parties. The Illinois Health Information Exchange Authority
11 shall also give annual consideration to enable a recipient to
12 expressly decline the further disclosure by an HIE to third
13 parties of selected portions of the recipient's record while
14 permitting disclosure of the recipient's remaining patient
15 health information. In establishing rules, standards, or
16 contractual obligations binding upon HIE participants to give
17 effect to recipient disclosure preferences, the Illinois
18 Health Information Exchange Authority in its discretion may
19 consider the extent to which relevant health information
20 technologies reasonably available to therapists and HIEs in
21 this State reasonably enable the effective segmentation of
22 specific information within a recipient's electronic medical
23 record and reasonably enable the effective exclusion of
24 specific information from disclosure by an HIE to third
25 parties, as well as the availability of sufficient
26 authoritative clinical guidance to enable the practical

1 application of such technologies to effect recipient
2 disclosure preferences."; and

3 on page 21, by inserting the following below line 9:

4 "(740 ILCS 110/13) (from Ch. 91 1/2, par. 813)

5 Sec. 13. Whenever disclosure of a record or communication
6 is made without consent pursuant to this Act, other than uses,
7 disclosures, or redisclosures permitted under Sections 9.5,
8 9.8, 9.9, 9.10, and 9.11 of this Act, or whenever a record is
9 used pursuant to Sections 7 and 8 of this Act, a notation of
10 the information disclosed and the purpose of such disclosure or
11 use shall be noted in the recipient's record together with the
12 date and the name of the person to whom disclosure was made or
13 by whom the record was used.

14 (Source: P.A. 80-1508.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law."