

Amend CSSB 1467 (senate committee report) as follows:

(1) Strike SECTION 1 of the bill, adding Chapter 183, Health and Safety Code (page 1, lines 24-57).

(2) In SECTION 2 of the bill, in added Section 159.006(d)(2), Occupations Code (page 2, lines 5 and 6), strike "Section 183.002, Health and Safety Code" and substitute "Section 159.0065(b)".

(3) Add the following appropriately numbered SECTION to the bill and renumber the SECTIONS of the bill accordingly:

SECTION _____. Chapter 159, Occupations Code, is amended by adding Section 159.0065 to read as follows:

Sec. 159.0065. SENSITIVE TEST RESULTS DISCLOSED BY ELECTRONIC MEANS. (a) In this section:

(1) "Electronic health record" has the meaning assigned by Section 531.901, Government Code.

(2) "Electronic means" means publishing information on a secure electronic network or Internet website, including a secure online patient portal or health software application:

(A) that is accessible by an electronic device, including a computer, mobile device, or tablet; and

(B) through which the patient or patient representative has consented to receive the patient's billing or medical records.

(3) "Patient representative" means a person described by Sections 159.005(a)(2)-(4).

(4) "Sensitive test result" means a:

(A) pathology report or radiology report that has a reasonable likelihood of showing a finding of malignancy; or

(B) test result that may reveal a genetic marker.

(b) Sensitive test results may not be disclosed to a patient or patient representative by electronic means before the third day after the date the sensitive test results are finalized.

(c) A person who administers or controls the electronic health record of a patient is responsible for implementing Subsection (b).

(d) A person is not subject to civil, criminal, or administrative liability or professional disciplinary action for

failure to comply with Section 159.006(d)(2) or this section.

(4) In SECTION 3 of the bill, in the transition language (page 2, line 7), strike "Chapter 183, Health and Safety Code," and substitute "Section 159.0065, Occupations Code,".