



FLOOR AMENDMENT NO. _____

BY: Morgan

Amend C.S.S.B. 30 (house committee printing) as follows:

(1) On page 4, line 2, strike "and 41.017" and substitute "41.017, and 41.018".

(2) On page 8, between lines 23 and 24, insert the following:

Sec. 41.018. PRESERVATION OF PRIVILEGES AND PROTECTED INFORMATION. (a) Nothing in Section 41.015 or 41.016 may be construed to:

(1) abrogate or otherwise impair any privilege recognized under the Texas Rules of Evidence or other applicable law, including the attorney-client privilege, the work-product doctrine, or any other legal privilege protecting communications or materials prepared in anticipation of litigation;

(2) authorize or require the disclosure of any communication protected by the physician-patient privilege under Section 773.091, Health and Safety Code, or other applicable law; or

(3) authorize or require the disclosure of any individually identifiable health information in a manner that would violate the Health Insurance Portability and Accountability Act of 1996 (Pub. L. No. 104-191), including the regulations adopted under that Act in 45 C.F.R. Parts 160 and 164.

(b) Any disclosure or discovery authorized by this chapter must comply with all applicable federal and state laws governing medical privacy and confidentiality, including the Health Insurance Portability and Accountability Act of 1996 (Pub. L. No. 104-191) and Chapter 181, Health and Safety Code.