

HOUSE _____ AMENDMENT NO. ____

Offered By

AMEND House Committee Substitute for Senate Bill No. 813, Page 30, Section 339.549, Line 17, by inserting after all of said section and line the following:

“Section 1. No law, rule, or contract shall compel, directly or indirectly, health care provider, or hospital to participate in any particular health information exchange.

2. This section does not:

(1) Affect laws or regulations in effect as of January 1, 2010;

(2) Affect the terms or conditions of any health care system to the extent that those terms and conditions do not have the effect of punishing health care provider, or hospital for participating in any health information exchange.

3. As used in this section, the following terms shall mean:

(1) "Compel", any penalties or fines;

(2) "Health care system", any public or private entity whose function or purpose is the management of, processing of, enrollment of individuals for or payment for, in full or in part, health care services or health care data or health care information for its participants;

(3) "Penalties or fines", any civil or criminal penalty or fine, tax, salary or wage withholding or surcharge or any named fee with a similar effect established by law or rule by a government established, created or controlled agency that is used to punish or discourage the exercise of rights protected under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.