

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Bill No. 188, Page 5, Section 195.465, Line 12, by inserting after all of said line the  
2 following:

3 "3. Neither the sovereign nor the official immunity doctrines shall apply to a person or a  
4 department authorized to have private prescription-related medical information under sections  
5 195.450 to 195.468 in instances when such information is disclosed to an unauthorized party. If the  
6 department is responsible in whole or in part for private prescription-related medical information  
7 being negligently disclosed to an unauthorized party, then the person whose information was  
8 disclosed shall have a cause of action to recover liquidated damages in the amount of twenty-five  
9 thousand dollars in addition to compensatory economic and non-economic damages, attorney fees,  
10 and court costs. If it is determined by a court of competent jurisdiction that such disclosure was  
11 done intentionally and maliciously, then the person shall be entitled to punitive damages in addition  
12 to the damages above. None of the foregoing damages shall be paid out from the state legal expense  
13 fund but shall be paid out of the appropriations to the department for its operations."; and  
14

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

Action Taken \_\_\_\_\_ Date \_\_\_\_\_