Bill No. <u>CS for SB 2060, 1st Eng.</u>

Amendment No. ___   Barcode 880180

CHAMBER ACTION

<u>Senate</u>   <u>House</u>

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11 Senator Geller moved the following amendment:

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13   **Senate Amendment (with title amendment)**

14   On page 36, lines 18 and 19, delete those lines

15

16 and insert:

17   Section 19. Section 626.9651, Florida Statutes, is

18 created to read:

19   <u>626.9651 Privacy.--The department shall adopt rules</u>

20 <u>consistent with other provisions of the Insurance Code to</u>

21 <u>govern the use of a consumer's nonpublic personal financial</u>

22 <u>and health information. These rules shall be based on,</u>

23 <u>consistent with, and not more restrictive than the National</u>

24 <u>Association of Insurance Commissioners' Privacy of Consumer</u>

25 <u>Financial and Health Information Regulation adopted September</u>

26 <u>26, 2000, by the National Association of Insurance</u>

27 <u>Commissioners, provided, however, the rules shall permit the</u>

28 <u>use and disclosure of nonpublic personal health information</u>

29 <u>for scientific, medical, or public policy research in</u>

30 <u>accordance with federal law. In addition, these rules shall</u>

31 <u>be consistent with, and not more restrictive than, the</u>

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1 standards contained in Title V of the Gramm-Leach-Bliley Act
2 of 1999 (Pub. L. No. 106-102). Any health insurer or health
3 maintenance organization determined by the department to be in
4 compliance with, or to be actively undertaking compliance
5 with, the consumer privacy protection rules promulgated by the
6 United States Department of Health and Human Services, in
7 conformance with the Health Insurance Portability and
8 Affordability Act, shall be deemed in compliance with this
9 section. This section shall take effect July 1, 2001.
10   Section 20. Except as otherwise expressly provided in
11 this act, this act shall take effect upon becoming a law.
12
13
14 ================ T I T L E   A M E N D M E N T ===============
15 And the title is amended as follows:
16   On page 2, line 16, after the semicolon,
17
18 insert:
19   creating s. 626.9651, F.S.; directing the
20   department to adopt rules to govern the use of
21   a consumer's nonpublic personal financial and
22   health information by health insurers and
23   health maintenance organizations; providing
24   standards governing the rules;
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