

Bill No. SB 2224



644906

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: FAV	.	
3/6/2008	.	
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	.	

1 The Committee on Community Affairs (Hill) recommended the
 2 following **amendment**:

Senate Amendment

5 Delete line(s) 56 through 71
 6 and insert:

8 Section 4. The Legislature finds that it is a public
 9 necessity that personal identifying information of an applicant
 10 for or recipient of paratransit services be made confidential
 11 and exempt from public-records requirements. Paratransit
 12 services include transportation services for persons who,
 13 because of physical or mental disability, income status, or age,
 14 are unable to transport themselves and are, therefore, dependent
 15 upon others to obtain access to health care, employment,

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16 education, shopping, social activities, or other life-sustaining
17 activities. Paratransit services also include transportation
18 services for children who are handicapped, such as the
19 developmentally disabled, and children who are at high-risk or
20 at-risk, such as children who are victims of child abuse or
21 neglect. As such, information provided to an agency would be
22 personal, sensitive information related to a person's physical
23 or mental health or income status. Matters of personal health
24 are traditionally private and confidential concerns between a
25 patient and a health care provider. The private and confidential
26 nature of personal health matters pervades both the public and
27 private health care sectors. For this reason, a person's
28 expectation of a right to privacy in all matters regarding his
29 or her personal health necessitates the exemption. Furthermore,
30 the exemption ensures the protection of the identity of an
31 applicant for or recipient of paratransit services. If the
32 identifying information was not protected, the administration of
33 paratransit services would be significantly impaired because
34 applicants would be less inclined to apply for those services
35 due to the fact that the identifying information would be made
36 available to the public, which would cause an unwarranted
37 invasion into the life and privacy of applicants for and
38 recipients of the services. Thus, the number of recipients would
39 significantly decrease. As a result, the effective
40 administration of paratransit services would be impaired.