



839604

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
03/31/2009	.	
	.	
	.	
	.	

The Committee on Governmental Oversight and Accountability
(Ring) recommended the following:

Senate Amendment

Delete lines 132 - 174
and insert:

(2) DEFINITIONS.—As used in this section, the term:

(a) "Electronic health record" means a record of a person's
medical treatment which is created by a licensed health care
provider and stored in an interoperable and accessible digital
format.

(b) "Health record" means any information, recorded in any
form or medium, which relates to the past, present, or future



839604

12 health of an individual for the primary purpose of providing
13 health care and health-related services.

14 (c) "Identifiable health record" means any health record
15 that identifies the patient or with respect to which there is a
16 reasonable basis to believe the information can be used to
17 identify the patient.

18 (d) "Patient" means an individual who has sought, is
19 seeking, is undergoing, or has undergone care or treatment in a
20 health care facility or by a health care provider.

21 (e) "Patient representative" means a parent of a minor
22 patient, a court-appointed guardian for the patient, a health
23 care surrogate, or a person holding a power of attorney or
24 notarized consent appropriately executed by the patient granting
25 permission to a health care facility or health care provider to
26 disclose the patient's health care information to that person.
27 In the case of a deceased patient, the term also means the
28 personal representative of the estate of the deceased patient;
29 the deceased patient's surviving spouse, surviving parent, or
30 surviving adult child; the parent or guardian of a surviving
31 minor child of the deceased patient; or the attorney for the
32 deceased patient.