

MAINE STATE LEGISLATURE

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INSURANCE AND FINANCIAL SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 676, L.D. 966, Bill, "An Act To Conform the Insurance Information and Privacy Protection Act to Federal Privacy Rules"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 24-A MRSA §2215, sub-§1, ¶P, as amended by PL 2001, c. 457, §21, is further amended to read:

P. To an affiliate whose only use of the information will be in connection with an audit of the regulated insurance entity or the marketing of a product or service of the affiliate, if the information disclosed for marketing purposes does not include health care information and if the affiliate agrees not to disclose the information for any other purpose or to unaffiliated persons; or

Sec. 2. 24-A MRSA §2215, sub-§1, ¶Q, as enacted by PL 2001, c. 457, §22, is amended to read:

Q. In order to protect the public health and welfare, to state governmental entities only insofar as necessary to enable those entities to perform their duties when reporting is required or authorized by law; or

Sec. 3. 24-A MRSA §2215, sub-§1, ¶R is enacted to read:

2 R. By a regulated insurance entity that is also a covered
4 entity or is a business associate of a covered entity under
6 the standards for privacy of individually identifiable
8 health information, 45 Code of Federal Regulations, Parts
10 160 and 164 (2004), if the disclosure is made for purposes
 of treatment, payment or health care operations of the
 disclosing or receiving entity and is made in full
 compliance with the requirements of the standards for
 privacy of individually identifiable health information and
 any applicable business associate agreement.'

SUMMARY

14 This amendment replaces the bill. It amends the Insurance
16 Information and Privacy Protection Act to permit certain
18 regulated insurance entities to disclose private health
20 information for the purposes of treatment, payment or health plan
22 operations provided the disclosure complies with federal
 standards for privacy of individually identifiable health
 information.