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FLOOR DEBATE

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disclosure of patient information by an emergency medical service--ambulance service on a 911 call. The committee received testimony about the problems that the current state law raises in this area, and Health and Human Services Committee did not advance the bill because of the way it was drafted at that time. Since then, privacy rules under the Health Insurance Portability and Accountability Act, referred to as HIPAA, became effective just a few days ago, matter of fact, on April 14, and we have circulated to you an article that was in the Lincoln Journal Star relating to that. A couple weeks ago, the city of Lincoln approached me about a simple amendment to address this issue that complies with HIPAA requirements and is germane to LB 667. The problem simply is this. If the state law is more strict than a federal law in HIPAA, then the more restrictive state law will apply; if the state law is less restrictive than HIPAA, then the federal law will apply. Currently, as it relates to EMS, emergency medical service, providers, state law in Section 71-7185 (sic) is significantly more stringent than what HIPAA permits and causes significant problems for EMS providers. A small change made in this amendment simply adds the words "unless (sic) otherwise permitted by law," those five words, and then replaces the word "statistical" with "public health," and that mirrors then the federal law in HIPAA. I consider this really a technical change. It has no fiscal impact. It would just allow any emergency medical service provider to comply with HIPAA in cases where HIPAA is less stringent than state law. I have handed out the article from the Star from yesterday that illustrates a problem with this simple amendment, tries...that this simple amendment tries to resolve. I have consulted with the Department of Health and Human Services Regulation and Licensure in the drafting of this part of the amendment, and their comments are reflected in this draft. The amendment makes five other technical changes in response to your comments about the bill on General File. Relating to trainers of service dogs for disabled persons, the amendment clarifies that a disabled person with a service dog or a trainer of a service dog is responsible, is responsible for any damage that the service dog might cause to either the person or property, and that the amendment strikes the unnecessary occurrence of the term "bona fide trainer." The amendment strikes two places where the word "exactly" is used in the part