

AMENDMENTS TO HOUSE BILL NO. 17

Sponsor: REPRESENTATIVE HAHN

Printer's No. 33

1 Amend Bill, page 1, line 11, by inserting after "providing"
2 for confidentiality of records and

3 Amend Bill, page 1, lines 14 through 16, by striking out all
4 of said lines and inserting

5 Section 1. Sections 8(c) and 12 of the act of April 14, 1972
6 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol
7 Abuse Control Act, are amended to read:

8 Section 8. Confidentiality of Records.--* * *

9 (c) [All] (1) Except as provided under section 12(b),
10 patient records and all information contained therein relating
11 to drug or alcohol abuse or drug or alcohol dependence prepared
12 or obtained by a private practitioner, hospital, clinic, drug
13 rehabilitation or drug treatment center shall remain
14 confidential and may be disclosed [only with the patient's
15 consent and] only:

16 (i) when the patient is of the age of majority and consents
17 to the disclosure; or

18 (ii) if the patient is a minor, the patient consents to
19 treatment under section 12(a) and consents to the disclosure. A
20 minor patient who does not consent to medical treatment or
21 counseling under section 12(a) may consent to the disclosure of
22 records and information.

23 (2) Records and information subject to disclosure in
24 accordance with paragraph (1) shall only be disclosed:

25 (i) to medical personnel exclusively for purposes of
26 diagnosis and treatment of the patient [or];

27 (ii) to the parent or legal guardian of a minor or any other
28 designee for which the patient has provided consent; or

29 (iii) to government or other officials exclusively for the
30 purpose of obtaining benefits due the patient as a result of his
31 drug or alcohol abuse or drug or alcohol dependence [except
32 that].

33 (3) Notwithstanding any other provisions of this section, in
34 emergency medical situations where the patient's life is in
35 immediate jeopardy, patient records may be released without the
36 patient's consent to proper medical authorities solely for the
37 purpose of providing medical treatment to the patient.

1 (4) If a minor does not consent to medical care or
2 counseling, but consent is provided by a parent or legal
3 guardian under section 12(b), then the treating practitioner,
4 hospital, clinic or drug rehabilitation or drug treatment center
5 shall deem the parent or legal guardian the patient's
6 representative and is permitted to inform the parent or legal
7 guardian of any information that would constitute a threat to
8 the minor or any other individual or any other information that
9 is permitted under Federal or State law.