

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1217

Page 1, line 1, after "reenact" insert "subsection 2 of section 25-03.3-05 and"

Page 1, line 2, replace "proof required for" with "civil commitment of" and replace "individual civil commitment" with "individuals; and to declare an emergency"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Subsection 2 of section 25-03.3-05 of the North Dakota Century Code is amended and reenacted as follows:

2. For purposes of this chapter, the disclosure of individually identifiable health information by a treating facility or mental health professional shall, if requested, disclose individually identifiable health information to a court, the state hospital, state's attorney, retained counsel, or other a mental health professional, including an expert examiner, and the disclosure is a disclosure for treatment. A retained or appointed counsel has the right to obtain individually identifiable health information regarding a respondent in a proceeding under this chapter. In any other case, the right of an inmate or a patient to obtain protected health information must be in accordance with title 45, Code of Federal Regulations, part 164."

Page 2, after line 6, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly