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## ASSEMBLY AMENDMENT 29, TO ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 1997 ASSEMBLY BILL 768

May 6, 1998 - Offered by Representatives Wasserman and Schneider.

At the locations indicated, amend the substitute amendment as follows:

- 1. Page 14, line 11: after the semicolon insert "requiring maintenance of patient health care records in a secure manner and prohibiting failure to securely maintain patient health care records; prohibiting the unauthorized retrieval of patient health care records from a dumpster or landfill;".
  - 2. Page 309, line 19: after that line insert:
  - **"Section 393qm.** 146.83 (5) of the statutes is created to read:
- 146.83 (5) A health care provider shall maintain all patient health care records of the health care provider's patients in a secure manner, including in a secure receptacle outside an inpatient health care facility or other health care facility, before shredding, deleting or otherwise destroying the patient health care records.
- **Section 393qn.** 146.84 (2) of the statutes is renumbered 146.84 (2) (a).

<b>Section 393qp.</b> 146.84 (2) (b) and (c) of the statutes are created to read:
146.84 (2) (b) Whoever performs the unauthorized retrieval of patient health
care records from a dumpster or from a landfill, as defined in s. $289.01\ (20)$ , may be
fined not more than $$10,000$ or imprisoned for not more than 2 years or both.
(c) Whoever violates s. 146.83 (5) may be fined not more than \$5,000.".
(END)