

House Engrossed

State of Arizona  
House of Representatives  
Forty-sixth Legislature  
First Regular Session  
2003

CHAPTER 14

# HOUSE BILL 2041

AN ACT

AMENDING SECTION 36-404, ARIZONA REVISED STATUTES; RELATING TO HEALTH CARE INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-404, Arizona Revised Statutes, is amended to  
3 read:

4 36-404. Limitation of disclosure of information

5 A. Information received and records kept by the department for the  
6 purpose of administering this chapter are available to the public except:

7 1. Information obtained for purposes of articles 4 and 5 of this  
8 chapter.

9 2. ~~Patient records, including clinical records, medical reports,~~  
10 ~~laboratory statements and reports, any file, film, record or report or oral~~  
11 ~~statement relating to diagnostic findings and treatment of patients,~~  
12 PERSONALLY IDENTIFIABLE MEDICAL INFORMATION or any information from which a  
13 patient or the patient's family might be identified.

14 3. Sources of information which THAT cause the department to believe  
15 that an inspection of an institution is needed to determine the extent of  
16 compliance with this chapter and rules adopted pursuant to this chapter.

17 B. The department may release information listed under subsection A  
18 to an officer of the court pursuant to a court order, a department or agency  
19 of this state OR THE FEDERAL GOVERNMENT, a law enforcement agency or a county  
20 medical examiner if the release of this information is necessary and  
21 pertinent to an investigation or proceeding unless the release of this  
22 information is prohibited by federal or state law. The recipient shall  
23 maintain patient and source name confidentiality.

APPROVED BY THE GOVERNOR MARCH 28, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 28, 2003.

Passed the House January 28, 2003

Passed the Senate March 20, 2003

by the following vote: 54 Ayes,

by the following vote: 26 Ayes,

0 Nays, 5 Not Voting  
*1 Vacancy*

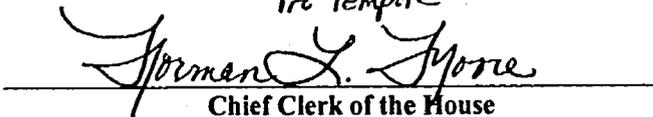
0 Nays, 4 Not Voting

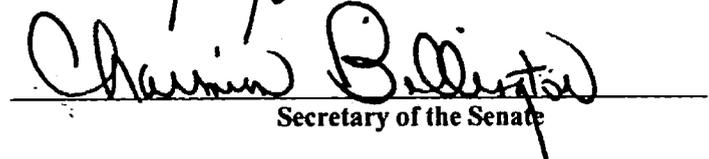




Speaker of the House  
*Pri Tempore*

President of the Senate

  
Chief Clerk of the House

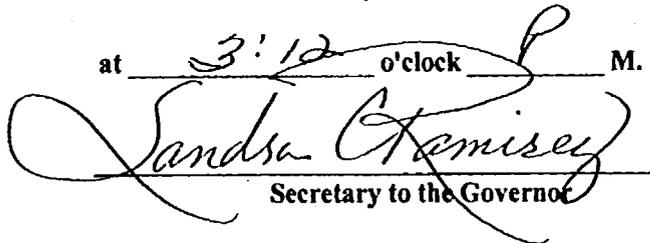
  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

24 day of March, 2003

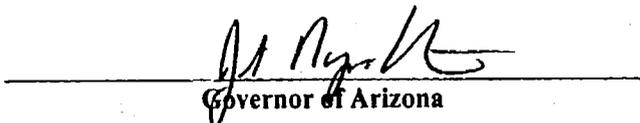
at 3:12 o'clock P M.

  
Secretary to the Governor

Approved this 28 day of

March, 2003

at 8:01 o'clock A M.

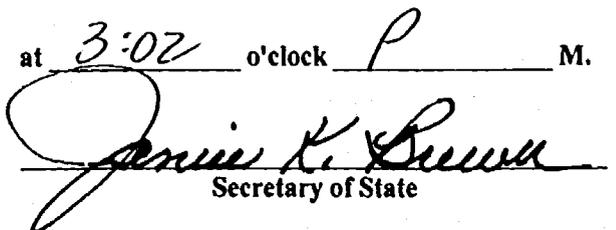
  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 28 day of March, 2003,

at 3:02 o'clock P M.

  
Secretary of State

H.B. 2041