

HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **HB 2645** _____

Carter _____ Floor Amendment

HB 2645 allows a person to obtain any laboratory test without a physician's order.

The substitute floor amendment to the committee amendment to HB 2645 clarifies that a person may obtain any laboratory test from a licensed clinical laboratory on a direct access basis without a health care provider's request or written authorization, provided that the laboratory offers that laboratory test to the public on a direct access basis without a health care provider's request or written authorization.

Provides that a health care provider's duty of care to a patient does not include any responsibility to review or act on the laboratory test results of a patient if the health care provider did not request or authorize the laboratory test. A health care provider is not subject to liability or disciplinary actions for the failure to review or act on the results of a laboratory test of any patient if the health care provider did not request or authorize the laboratory test.

Changes physician to health care provider.

Makes technical and conforming changes.

Amendment explanation prepared by Ingrid Garvey _____

Phone Number _____

Ics

2/19/2015

CARTER SUBSTITUTE FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2645

I move the following SUBSTITUTE amendment to the HEALTH Committee Amendment to HOUSE BILL 2645 (Reference to printed bill)

- 1 Page 2, line 3, strike "physician" insert "health care provider's"
2 Line 4, strike "immunity" insert "duty of care: liability"
3 Strike lines 5 and 6, insert:
4 "A. A PERSON MAY OBTAIN ANY LABORATORY TEST FROM A LICENSED CLINICAL
5 LABORATORY ON A DIRECT ACCESS BASIS WITHOUT A HEALTH CARE PROVIDER'S REQUEST
6 OR WRITTEN AUTHORIZATION, PROVIDED THAT THE LABORATORY OFFERS THAT LABORATORY
7 TEST TO THE PUBLIC ON A DIRECT ACCESS BASIS WITHOUT A HEALTH CARE PROVIDER'S
8 REQUEST OR WRITTEN AUTHORIZATION."
9 Lines 8, 9 and 13, strike "PHYSICIAN" insert "HEALTH CARE PROVIDER"
10 Strike lines 14 through 16, insert:
11 "C. A HEALTH CARE PROVIDER'S DUTY OF CARE TO A PATIENT DOES NOT
12 INCLUDE ANY RESPONSIBILITY TO REVIEW OR ACT ON THE LABORATORY TEST RESULTS OF
13 A PATIENT IF THE HEALTH CARE PROVIDER DID NOT REQUEST OR AUTHORIZE THE
14 LABORATORY TEST. A HEALTH CARE PROVIDER IS NOT SUBJECT TO LIABILITY OR
15 DISCIPLINARY ACTIONS FOR THE FAILURE TO REVIEW OR ACT ON THE RESULTS OF A
16 LABORATORY TEST OF ANY PATIENT IF THE HEALTH CARE PROVIDER DID NOT REQUEST OR
17 AUTHORIZE THE LABORATORY TEST."
18 Line 21, strike "PHYSICIAN" insert "HEALTH CARE PROVIDER"
19 Line 22, after "32" strike remainder of line insert "AND WHO IS AUTHORIZED TO
20 ORDER LABORATORY TESTING."
21 Amend title to conform

HEATHER CARTER

2645-f1-carter
2/19/15
10:36 AM
H:laa

2645hc2 *
02/19/2015
9:56 AM
C: mjh