

Errata – LCB File No. R056-16

Blue italic = Proposed language found in LCB File No. R056-16

~~[Red strikethrough in brackets]~~ = Proposed omitted material found in LCB File No. R056-16

Green italic = New language proposed in Errata

Sec. 10. 1. *Except for health information concerning a patient who is prohibited by NRS 439.538 from opting out of electronic disclosure of individually identifiable health information, health information concerning a patient, including, without limitation, a child under 18 years of age who has received health care services without the consent of a parent or guardian, that is retrieved, disclosed or maintained using a health information exchange ~~[is the property of]~~ belongs to the patient. A patient may control access to such information by providing or refusing to provide informed written consent in the manner prescribed by this section.*

2. *Except as otherwise provided in subsection 7, a person shall, before retrieving the health information of a patient that ~~[is the property of]~~ belongs to the patient pursuant to subsection 1 from a health information exchange:*

Rationale: SB 48 outlines that we must establish who owns the patient's data. The property language is changed because we don't want to inadvertently subject a person to property laws.