

ADOPTED

Senator Carter of the 1st offered the following amendment:

1 *Amend the Senate Health and Human Services Committee substitute to SB 418 (LC 36*
2 *1627S) by striking lines 386 through 395 and inserting in lieu thereof the following:*

3 (b)(1) An individual authorized to access electronic data base prescription information
4 pursuant to Code Sections 16-13-57 through 16-13-64 who negligently uses, releases, or
5 discloses such information in a manner or for a purpose in violation of Code Sections
6 16-13-57 through 16-13-64 shall be guilty of a misdemeanor. Any person who is
7 convicted of negligently using, releasing, or disclosing such information in violation of
8 Code Sections 16-13-57 through 16-13-64 shall, upon the second or subsequent
9 conviction, be guilty of a felony and shall be punished by imprisonment for not less than
10 one nor more than three years, by a fine not to exceed \$5,000.00, or by both.

11 (2) An individual authorized to access electronic data base prescription information
12 pursuant to Code Sections 16-13-57 through 16-13-64 who knowingly and intentionally
13 uses, releases, or discloses such information in a manner or for a purpose in violation of
14 Code Sections 16-13-57 through 16-13-64 shall be guilty of a felony and, upon
15 conviction thereof, shall be punished by imprisonment for not less than two nor more
16 than ten years, by a fine not to exceed \$100,000.00, or by both. Any person who is
17 convicted of knowingly and intentionally using, releasing, or disclosing such information
18 in violation of Code Sections 16-13-57 through 16-13-64 shall, upon the second or
19 subsequent conviction, be guilty of a felony and shall be punished by imprisonment for
20 not less than three nor more than 15 years, by a fine not to exceed \$250,000.00, or by
21 both.