

Senate Bill 395

By: Senators Kirkpatrick of the 32nd, Watson of the 1st, Hufstetler of the 52nd, Brass of the 6th, Albers of the 56th and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the
2 Department of Public Health, so as to authorize the Department of Public Health to disclose
3 certain information regarding the Low THC Oil Patient Registry; to provide for related
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the Department
8 of Public Health, is amended by revising subsection (f) of Code Section 31-2A-18, relating
9 to the Low THC Oil Patient Registry, registration cards, reports, waiver forms, and annual
10 review and recommendations, as follows:

11 "(f) Information received and records kept by the department for purposes of administering
12 this Code section shall be confidential; provided, however, that such information shall be
13 disclosed, subject to the provisions of the federal Health Insurance Portability and
14 Accountability Act of 1996, P.L. 104-191, and any regulations promulgated thereunder:

15 (1) Upon written request of an individual or caregiver registered pursuant to this Code
16 section for information related to the individual or his or her caregiver;

S. B. 395

- 17 (2) To peace officers and prosecuting attorneys for the purpose of:
18 (A) Verifying that an individual in possession of a registration card is registered
19 pursuant to this Code section; or
20 (B) Determining that an individual in possession of low THC oil is registered pursuant
21 to this Code section; ~~and~~
- 22 (3) To government entities and other entities for statistical, research, educational,
23 instructional, drug abuse prevention, or grant application purposes after removing all
24 personal identifiers from the health information and removing all information that could
25 be used to identify ~~prescribers~~ physicians; and
- 26 (4) To the board or other state licensing boards for investigatory, compliance, or
27 disciplinary purposes."

28 **SECTION 2.**

29 All laws and parts of laws in conflict with this Act are repealed.