



SPONSOR: Sen. Hansen

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE AMENDMENT NO. 1
TO
SENATE BILL NO. 74

AMEND Senate Bill No. 74 between lines 13 and 14 by inserting the following:

“c. The date the APRN will discontinue services.”.

FURTHER AMEND Senate Bill No. 74 between lines 17 and 18 by inserting the following:

“(4) When an APRN is closing a medical practice and patient medical records will no longer be available at the APRN’s place of business, the APRN shall provide to the Board of Nursing notice of how former patients may obtain the patient’s records.”.

FURTHER AMEND Senate Bill No. 74 between lines 31 and 32 by inserting the following:

“(3) The personal representative of the person’s estate shall provide the Board of Nursing notice of how former patients may obtain the patient’s records.”.

FURTHER AMEND Senate Bill No. 74 on line 33 by deleting “new health-care provider or the patient.” and inserting in lieu thereof the following:

“patient or the new health-care provider with the patient’s written consent.”.

FURTHER AMEND Senate Bill No. 74 between lines 97 and 98 by inserting the following:

“c. The date the licensee will discontinue services.”.

FURTHER AMEND Senate Bill No. 74 between lines 101 and 102 by inserting the following:

“(4) When a licensee is closing the licensee’s practice and client records will no longer be available at the licensee’s place of business, the licensee shall provide to the Board notice of how former clients may obtain the client’s records.”.

FURTHER AMEND Senate Bill No. 74 between lines 115 and 116 by inserting the following:

“(3) The personal representative of the person’s estate shall provide the Board notice of how former clients may obtain the client’s records.”.

FURTHER AMEND Senate Bill No. 74 on line 117 by deleting “new provider or the client.” and inserting in lieu thereof the following:

24 “client or the new provider with the client’s written consent.”.

25 FURTHER AMEND Senate Bill No. 74 between lines 182 and 183 by inserting the following:

26 “c. The date the psychologist will discontinue services.”.

27 FURTHER AMEND Senate Bill No. 74 between lines 186 and 187 by inserting the following:

28 “(4) When a psychologist is closing a psychology practice and patient records will no longer be available at the
29 psychologist’s place of business, the psychologist shall provide to the Board notice of how former patients may obtain the
30 patient’s records.”.

31 FURTHER AMEND Senate Bill No. 74 between lines 200 and 201 by inserting the following:

32 “(3) The personal representative of the person’s estate shall provide the Board notice of how former patients may
33 obtain the patient’s records.”.

34 FURTHER AMEND Senate Bill No. 74 on line 202 by deleting “new provider or the patient.” and inserting in lieu
35 thereof the following:

36 “patient or the new provider with the patient’s written consent.”.

37 FURTHER AMEND Senate Bill No. 74 between lines 268 and 269 by inserting the following:

38 “c. The date the licensed clinical social worker will discontinue services.”.

39 FURTHER AMEND Senate Bill No. 74 between lines 272 and 273 by inserting the following:

40 “(4) When a licensed clinical social worker is closing a social work practice and client records will no longer be
41 available at the licensee’s place of business, the licensee shall provide to the Board of Social Work Examiners notice of
42 how former clients may obtain the client’s records.”.

43 FURTHER AMEND Senate Bill No. 74 between lines 286 and 287 by inserting the following:

44 “(3) The personal representative of the person’s estate shall provide the Board of Social Work Examiners notice of
45 how former clients may obtain the client’s records.”.

46 FURTHER AMEND Senate Bill No. 74 on line 288 by deleting “new provider or the client.” and inserting in lieu
47 thereof the following:

48 “client or the new provider with the client’s written consent.”.

49 FURTHER AMEND Senate Bill No. 74 after line 395 by inserting the following:

50 “Section 9. This Act takes effect 6 months after its enactment into law.”.

SYNOPSIS

To keep these requirements consistent with those for physicians, this Amendment adds the provisions in HA 1 to HB 105 (152nd), which require the notice of an office closure to include the date services will cease and that when an office closes, notice must be provided to the applicable governing body explaining how former patients or clients may obtain their

records. It also delays the effective date of SB 74 for 6 months. In addition to the requirements under HA 1 to HB 105, this Amendment requires the patient's or client's written consent before providing records to a new provider.

Author: Senator Hansen