

SB 781 -1 STAFF MEASURE SUMMARY

Senate Committee On Health Care

Prepared By: Oliver Droppers, LPRO Analyst

Meeting Dates: 3/17, 4/12

WHAT THE MEASURE DOES:

Requires a clinical laboratory to provide results of a test, examination, or analysis to a patient or their authorized representative no less than three days after receipt of request or immediately through technology.

ISSUES DISCUSSED:

- Provisions of the federal 21st Century Cures Act
- Aligning state with federal law (21st Century Cures Act)
- Release of laboratory results
- Current seven day window for a laboratory to report a patient's lab results

EFFECT OF AMENDMENT:

-1 Allows physician, dentist or other authorized individual to notify clinical laboratory when an exemption applies to release a patient's test results under federal law. Removes three day provision to report lab results; replaces with "unreasonable delay."

REVENUE: statement issued - no revenue impact.

FISCAL: statement issued - no fiscal impact.

BACKGROUND:

According to the National Coordinator for Health Information Technology (ONC), information blocking is the practice by a health IT developer, health information network or exchange, or a health care provider that interferes with access, exchange, or use of electronic health information. In 2016, Congress passed the 21st Century Cures Act which seeks to address information blocking. The Act and the final rule by ONC (Nov. 2020) allows exceptions to information blocking including preventing harm to an individual and patient privacy protections, among other exceptions.

Senate Bill 781 seeks to expediate patient access to results of clinical lab tests.