

**Office of Revisor of Statutes**  
300 S.W. 10th Avenue  
Suite 24-East, Statehouse  
Topeka, Kansas 66612-1592  
Telephone (785) 296-2321 FAX (785) 296-6668

**MEMORANDUM**

**To:** Committee on Ways and Means  
**From:** Nobuko Folmsbee, Senior Assistant Revisor of Statutes  
**Date:** May 1, 2012  
**Subject:** 2012 SENATE BILL NO. 469

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SB 469 amends one of the provisions of the Kansas health information technology and exchange act, K.S.A. 2011 Supp. 65-6821 through 65-6834, and amendments thereto. The Kansas health information technology and exchange act was enacted to harmonize state law with HIPAA privacy rules regarding individual access to protected health information while safeguarding protected health information.

K.S.A. 2011 Supp. 65-6828 provides that the Kansas health information technology and exchange act would supersede any state law which is contrary to, inconsistent with, or more restrictive than the provisions in the act. The exceptions are peer review and risk management statutes. The amendment in this bill would delete the third exception, any statutory health care provider-patient privilege.

The act would not limit or restrict the state agency's authority to require the disclosure of health information pursuant to law.

The act would take effect upon publication in the statute book.