

KMS

Amend Section 9 of HB 2199 on page 3, by deleting lines 33-37, and inserting the following therein:

(a) Any act, law, treaty, order, rule or regulation of the government of the United States which violates the first amendment to the constitution of the United States by attempting to regulate communication between physician and patient is null, void and unenforceable in the state of Kansas.

(b) ~~A patient may decline to provide information to a health care provider regarding whether the patient has any firearms in such patient's home or on such patient's property.~~ **Prior to responding to an inquiry by a health care provider regarding whether a patient has any firearms in such patient's home or on such patient's property, the patient or the patient's representative shall be given notice that the patient has the right to decline to provide such information.**

(c) In the event a patient provides information to a health care provider relating to the presence of firearms in such patient's home or on such patient's property, such information is privileged and protected from unauthorized access as set forth in the federal privacy rule (45 C.F.R. part 160 and 45 C.F.R. part 164, subparts A and E, as amended).