

Introduced by Senator Calderon

February 24, 2009

An act relating to medical information.

LEGISLATIVE COUNSEL'S DIGEST

SB 238, as introduced, Calderon. Medical information.

The Confidentiality of Medical Information Act prohibits a provider of health care, a health care service plan, contractor, or corporation and its subsidiaries and affiliates from intentionally sharing, selling, using for marketing, or otherwise using any medical information, as defined, for any purpose not necessary to provide health care services to a patient, except as expressly authorized by the patient, enrollee, or subscriber, as specified, or as otherwise required or authorized by law. Violations of these provisions are subject to a civil action for compensatory and punitive damages, and, if a violation results in economic loss or personal injury to a patient, it is punishable as a misdemeanor.

This bill would state the Legislature's intent to amend these provisions to ensure that patients adhere to prescription refill requirements.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. It is the intent of the Legislature to amend Section
- 2 56.10 of the Civil Code, relating to medical information, to ensure
- 3 that patients adhere to prescription refill requirements.

O