

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2646
OFFERED BY MR. GRIFFITH OF VIRGINIA**

Page 103, line 24, redesignate subsection (e) as subsection (f).

Page 103, after line 23, insert the following:

1 (e) HOLD HARMLESS.—A covered entity shall not be
2 subject to civil liability for sharing protected health infor-
3 mation with a caregiver unless—

4 (1) the covered entity has failed to require the
5 caregiver to submit a statement as required by sub-
6 section (f)(3); or

7 (2) the protected health information is shared
8 with a caregiver through gross negligence of the pro-
9 visions of this section.

Page 104, strike lines 19 through 22 and insert the following: “who has established a longstanding involvement, who is responsible for the individual and the health care of the individual, who does not have a documented history of abuse, neglect, or long-term abandonment of the individual, and who establishes such involvement, responsibility, and history through a statement that is

sworn under oath in the presence of a notary public in accordance with the laws of the State where the statement is signed.”.

