

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 2646  
OFFERED BY MS. CASTOR OF FLORIDA**

Add at the end of title IV the following new section:

1 **SEC. 406. ENHANCED COMMUNICATION BY COVERED ENTI-**  
2 **TIES THAT ARE PSYCHIATRIC HOSPITALS IN**  
3 **CASES OF DECEASED INDIVIDUALS.**

4 (a) IN GENERAL.—In implementing section  
5 164.510(b) of title 45, Code of Federal Regulations, with  
6 respect to psychiatric hospitals (as defined in section  
7 1861(f) of the Social Security Act (42 U.S.C. 1395x(f))),  
8 the Secretary of Health and Human Services shall apply  
9 paragraph (5) of such section in a manner that requires,  
10 in the case that an applicable individual requests that a  
11 disclosure described in such paragraph be made with re-  
12 spect to an individual described in such paragraph, that  
13 such disclosure be made.

14 (b) APPLICABLE INDIVIDUAL DEFINED.—For pur-  
15 poses of subsection (a), the term “applicable individual”  
16 means, with respect to an individual described in such  
17 paragraph (5), a family member or other person identified

1 in paragraph (1) of such section 164.510(b) who was in-  
2 volved in the individual's care.

