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S.73

Senator Brock moves that the bill be amended as follows:

First: In Sec. 1, 18 V.S.A. chapter 49, by striking out §§ 2156 and 2157 in their entirety and inserting in lieu thereof the following:

§ 2156. INSPECTIONS

The Department of Health shall make or cause to be made such inspections and investigations as it deems necessary. If the Department finds a violation as the result of an inspection or investigation, the Department shall post a report on the Department’s website summarizing the violation and any corrective action required.

§ 2157. RECORDS

(a) Information received by the Department of Health through filed reports, inspections, or as otherwise authorized by law shall:

(1) not be disclosed publicly in a manner that identifies or may lead to the identification of one or more individuals or ambulatory surgical centers;

(2) be exempt from public inspection and copying under the Public Records Act; and

(3) be kept confidential except as it relates to a proceeding regarding licensure of an ambulatory surgical center.

1        (b) The provisions of subsection (a) of this section shall not apply to the  
2        summary reports of violations required to be posted on the Department’s  
3        website pursuant to section 2156 of this chapter.

4        Second: By adding a new section to be Sec. 1a to read as follows:

5        Sec. 1a. 18 V.S.A. § 1909 is amended to read:

6        § 1909. INSPECTIONS

7        The licensing agency shall make or cause to be made such inspections and  
8        ~~investigation~~ investigations as it deems necessary. If the licensing agency  
9        finds a violation as the result of an inspection or investigation, the licensing  
10       agency shall post a report on the licensing agency’s website summarizing the  
11       violation and any corrective action required.

12       Third: By adding a new section to be Sec. 1b to read as follows:

13       Sec. 1b. 18 V.S.A. § 1910 is amended to read:

14       § 1910. RECORDS

15       (a) Information received by the licensing agency through filed reports,  
16       inspection, or as otherwise authorized ~~under this~~ by law, shall:

17       (1) not be disclosed publicly in ~~such a manner as to identify individuals~~  
18       ~~or hospitals, except in a proceeding involving the question of licensure that~~  
19       identifies or may lead to the identification of one or more individuals or  
20       hospitals;

1           (2) be exempt from public inspection and copying under the Public

2           Records Act; and

3           (3) be kept confidential except as it relates to a proceeding regarding

4           licensure of a hospital.

5           (b) The provisions of subsection (a) of this section shall not apply to the

6           summary reports of violations required to be posted on the licensing agency's

7           website pursuant to section 1909 of this chapter.