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HOUSE BILL NO. 2216**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Health, Welfare and Institutions
on January 25, 2011)

(Patron Prior to Substitute—Delegate Stolle)

A BILL to amend and reenact § 54.1-2409.4 of the Code of Virginia, relating to authority to receive laboratory results directly.

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2409.4 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-2409.4. Authority to receive laboratory results directly.

A. Any health care practitioner licensed under this title who, within the scope of his practice, orders a laboratory test or other examination of the physical condition of any person shall, if so requested by the patient or his legal guardian, provide a copy of the report of the results to the patient or his legal guardian, unless, in the professional opinion of the health care practitioner, there is a medical reason not to do so.

B. The health care practitioner, at his sole discretion, may authorize the laboratory to provide a copy of the report of the results directly to the patient or his legal guardian. The patient or his legal guardian shall then be considered authorized to receive the report or result for the purposes of the federal Clinical Laboratory Improvement Amendments.

C. *Notwithstanding the provisions of this section, a laboratory may provide, in a manner consistent with state and federal privacy laws, a copy of the report of the results directly to the insurance carrier, health maintenance organization, or self-insured plan that provides health insurance or similar coverage to the patient, contemporaneously with or subsequent to the time when the report is furnished to the ordering health care practitioner. The insurance carrier, health maintenance organization, or self-insured plan shall then be considered authorized to receive the report or result for the purposes of the federal Clinical Laboratory Improvement Amendments.*

HOUSE SUBSTITUTE

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