

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1488
99TH GENERAL ASSEMBLY

4274H.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 320.086, RSMo, and to enact in lieu thereof one new section relating to the closure of certain records.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 320.086, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 320.086, to read as follows:

320.086. 1. Nothing contained in sections 320.081 to 320.086 shall allow access to records otherwise closed under sections 610.100 to 610.105~~[-RSMo Supp. 1982]~~.

2. Nothing contained in sections 320.081 to 320.086 shall restrict or waive the attorney-client privilege.

3. **The portion of a record that is individually identifiable health information as defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), P.L. 104-191, as amended, may be closed records as provided under sections 610.100 to 610.105 if maintained by fire departments and fire protection districts. Notwithstanding the foregoing, all fire departments and fire protection districts shall produce for every call to the department or district an "incident report" as defined in section 610.100 that shall include the date, time, specific location, and name of the owner of the specific location or any vehicle involved in the incident, if known. All incident reports shall be open records under section 620.100.**

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.