

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend House Bill No. 476, Page 3, Section 324.009, Line 80,

2 by inserting after all of said line the following:

3       "362.034. 1. Any entity that operates as a facility  
4 licensed or certified under Article XIV, Section 1 of the  
5 Constitution of Missouri may request in writing that a state  
6 or local licensing authority or agency, including but not  
7 limited to the department of health and senior services or  
8 department of revenue, share the entity's application,  
9 license, or other regulatory and financial information with  
10 a banking institution. A state or local licensing authority  
11 or agency may also share such information with the banking  
12 institution's state and federal supervisory agencies.

13       2. In order to ensure the state or local licensing  
14 authority or agency is properly maintaining the  
15 confidentiality of individualized data, information, or  
16 records, an entity shall include in the written request a  
17 waiver giving authorization for the transfer of the  
18 individualized data, information, or records and waiving any  
19 confidentiality or privilege that applies to that  
20 individualized data, information, or records.

21       3. This section shall only apply to the disclosure of  
22 information by a state or local licensing authority or  
23 agency reasonably necessary to facilitate the provision of  
24 financial services by a banking institution to the entity  
25 making a request pursuant to this section.

26       4. The recipient of any information pursuant to this  
27 section shall treat such information as confidential and use  
28 it only for the purposes described in this section.

29       5. Nothing in this section shall be construed to  
30 authorize the disclosure of confidential or privileged  
31 information, nor waive an entity's rights to assert  
32 confidentiality or privilege, except as reasonably necessary  
33 to facilitate the provision of financial services for the  
34 entity making the request.

35       6. An entity that has provided a waiver pursuant to  
36 this section may withdraw the waiver with thirty days'  
37 notice in writing.

38       7. Nothing in this section shall be construed to  
39 modify the requirements of chapter 610.

40       8. For purposes of this section, the following terms  
41 mean:

42       (1) "Banking institution", the same meaning as in  
43 Article IV, Section 15 of the Missouri Constitution;

44       (2) "Entity", the same meaning as in Article XIV,  
45 Section 1 of the Missouri Constitution."; and

46       Further amend the title and enacting clause accordingly.