

From the Office of Rep Owens, HD 60

The following two amendments were requested by our office on 3/29 in anticipation of concerns raised regarding confidentiality. These amendments are intended to provide additional clarity about legal authority for labs to submit data and how confidentiality will be addressed in terms of processing and managing testing results by DEQ. Further information will be provided during the public hearing. These are currently being drafted as separate amendments for consideration by the committee.

1. Amendment 1

- Under Section 2 (1) – between (b) and (c) add a new subpart stating:
 - The Department shall develop and make available a Chain of Custody form that may be used by laboratories for the purpose of sampling performed under this section. The Chain of Custody will identify what tests are to be performed by the laboratory and that the results are to be reported to the department, in addition to the entity requesting the testing service for a prospective real estate transaction. The Chain of Custody will also provide instructions for the laboratory for electronic submission of test results to the department. If a laboratory chooses to use their own chain of custody form for real-estate transaction testing purposes, it must include information equivalent to the form provided by the department.

2. Amendment 2

- Under Section 2 (2), delete subpart (b) Make the results of the tests available via a publicly accessible database