

CAYMAN ISLANDS



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**A BILL FOR A LAW TO AMEND THE PUBLIC MANAGEMENT AND
FINANCE LAW (2005 REVISION) TO VARY THE PROCEDURE FOR
ACCESSING MEDICAL RECORDS IN THE COURSE OF AN AUDIT;
AND FOR INCIDENTAL AND CONNECTED PURPOSES**

**THE PUBLIC MANAGEMENT AND FINANCE (AMENDMENT) BILL,
2009**

MEMORANDUM OF OBJECTS AND REASONS

This Bill amends the Public Management and Finance Law (2005 Revision).

Clauses 2 and 3 of the Bill, respectively, amend sections 57 and 64 of the principal Law to require the written permission of the Chief Executive Officer of the Health Services Authority before the medical records of a patient are accessed in an audit.

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A BILL FOR A LAW TO AMEND THE PUBLIC MANAGEMENT AND FINANCE LAW (2005 REVISION) TO VARY THE PROCEDURE FOR ACCESSING MEDICAL RECORDS IN THE COURSE OF AN AUDIT; AND FOR INCIDENTAL AND CONNECTED PURPOSES

ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Public Management and Finance (Amendment) Law, 2009. Short title

2. The principal Law is amended in section 57 as follows - Amendment of section 57 of the Public Management and Finance Law (2005 Revision) - powers of Internal Audit Unit
 - (a) in subsection (1) by deleting the words “under section 53(n)” and substituting the words “under section 54(n)”; and
 - (b) by inserting after subsection (2) the following subsection -
“ (3) Notwithstanding the foregoing provisions of this section, the Director of Internal Audit shall not access or copy the medical records of a patient of a health care facility (whether an in-patient or an out-patient) without the written permission of the Chief Executive Officer; and, for the purposes of this subsection, “health care facility” and “Chief Executive Officer” have the respective meanings assigned to those expressions in section 2 of the Health Services Authority Law (2005 Revision).”.

The Public Management and Finance (Amendment) Bill, 2009

Amendment of section
64 of the Public
Management and
Finance Law (2005
Revision) - investigatory
powers of Auditor-
General

3. The principal Law is amended in section 64 by inserting after subsection (7) the following subsection -

“ (8) Notwithstanding the foregoing provisions of this section, the Auditor-General shall not access or copy the medical records of a patient of a health care facility (whether an in-patient or an out-patient) without the written permission of the Chief Executive Officer; and, for the purposes of this subsection, “health care facility” and “Chief Executive Officer” have the respective meanings assigned to those expressions in section 2 of the Health Services Authority Law (2005 Revision).”.

Passed by the Legislative Assembly the day of , 2009.

Speaker.

Clerk of the Legislative Assembly.