

ESB 1836

THE HOUSE OF REPRESENTATIVES
Tuesday, April 6, 2010

ENGROSSED
Senate Bill No. 1836
As Amended

ENGROSSED SENATE BILL NO. 1836 - By: CRAIN of the Senate and COX AND
PITTMAN of the House.

[public health and safety - Health Information Infrastructure Advisory Board
- modifying definition - modifying language - modifying duties
- effective date]

~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

- 1 SECTION 1. AMENDATORY Section 1, Chapter 276, O.S.L. 2009 (63 O.S.
2 Supp. 2009, Section 1-131), is amended to read as follows:
3 Section 1-131. A. As used in this section:
4 1. “Electronic ~~medical~~ health record” or “~~EMR~~” “EHR” means an electronic record of
5 health-related information on an individual that can be created, gathered, managed, and
6 consulted by authorized clinicians and staff within one or more health care ~~organization~~
7 settings;
8 2. “Health data exchange” means record-level health data exchanged for the
9 purpose of statistical data analysis, including, but not limited to, quality, expenditure,
10 and utilization data, for the purpose of developing a uniform and routinely compiled
11 dataset that will make possible the ongoing analysis, comparison, and evaluation of

1 trends in the quality and delivery of health care services for the purpose of effective
2 health care planning by public and private entities, cost containment, health facility
3 development, and improving access to, and quality of care;

4 3. “Health information exchange” or “HIE” means the electronic movement of
5 health-related information among organizations according to nationally recognized
6 standards for treatment purposes;

7 4. “Health information technology” or “HIT” means technology that allows
8 comprehensive management of medical information and its secure exchange between
9 health care consumers and providers for treatment purposes; and

10 5. “Hub” means a registry, a data repository, or a patient identity manager.

11 B. 1. There is hereby created the “Health Information Infrastructure Advisory
12 Board”.

13 2. The purpose of the advisory board shall be to advise and assist the Oklahoma
14 Health Care Authority in:

15 a. developing a strategy for the adoption and use of electronic ~~medical~~
16 health records and health information technologies that is consistent
17 with emerging national standards and promotes interoperability of
18 health information systems. The strategy shall:

19 (1) be researched and contain the best practices in electronic
20 ~~medical~~ health records systems and health information
21 technologies,

- 1 (2) be designed to reduce medical errors and enable patients to
2 make better decisions about their own health care by promoting
3 secure access to medical records online, and
- 4 (3) assist in the design of the health information infrastructure
5 roadmap, which shall contain the state plan for the exchange of
6 health information,
- 7 b. the determinations related to data elements to be collected, ~~and~~
8 c. the governance structure and policies and procedures for the health
9 information exchange, ensuring that the strategy and plan preserve
10 the privacy and security of health information as required by state and
11 federal law,
- 12 d. developing a strategy and process that will assist hospitals and health
13 care providers in receiving electronic health record incentive payments
14 made available through the American Recovery and Reinvestment Act
15 of 2009, and
- 16 e. assisting the Oklahoma Health Care Authority in developing a process
17 to administer a loan program made available through the American
18 Recovery and Reinvestment Act of 2009 designed to aid providers with
19 the adoption of electronic health records and to spur health
20 information exchanges at the state, regional, and local levels.

1 3. Duties of the advisory board shall not include the development of a health data
2 exchange; however, key features of a health information exchange shall be designed to
3 integrate with a state health data exchange.

4 4. The Authority shall operate as a hub for health information exchange between
5 health related state agencies and other health information organizations. Information
6 exchange shall be implemented through interagency agreements among all health
7 related agencies. The agreement shall ensure, but shall not be limited to:

- 8 a. confidentiality of information,
- 9 b. funding and implementation of the plan, which may include phased-in
10 implementation, and
- 11 c. procedures for coordinating, monitoring, and improving data exchange
12 that is compatible with current adopters of electronic ~~medical~~ health
13 record systems and health information technologies.

14 5. The advisory board shall consist of ten (10) members who shall be appointed by
15 the directors of the following agencies and shall include, but not be limited to, individuals
16 from:

- 17 a. the Oklahoma Health Care Authority,
- 18 b. the State Department of Health,
- 19 c. the Department of Mental Health and Substance Abuse Services,
- 20 d. the Department of Human Services,
- 21 e. the State and Education Employees Group Insurance Board,
- 22 f. the Insurance Department,

- 1 g. the Department of Corrections,
2 h. the State Department of Rehabilitative Services, and
3 i. the City-County Health Departments.

4 6. Vacancies occurring in the advisory board shall be filled by appointment of the
5 director of the represented agency.

6 7. The member from the Oklahoma Health Care Authority shall chair the advisory
7 board, and the Authority shall staff the advisory board.

8 8. Each agency shall receive one vote and a majority of the members in attendance
9 at a meeting shall be able to take action on behalf of the advisory board.

10 9. Members of the advisory board shall serve without compensation, but shall be
11 reimbursed their actual and necessary travel expenses in accordance with the State
12 Travel Reimbursement Act.

13 SECTION 2. This act shall become effective November 1, 2010.

14 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,
15 dated 04-05-10 - DO PASS, As Amended and Coauthored.