

SB 1836

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THE STATE SENATE
Monday, February 22, 2010

Senate Bill No. 1836
As Amended

SENATE BILL NO. 1836 - By: Crain of the Senate and Cox 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:

SECTION 1. AMENDATORY Section 1, Chapter 276, O.S.L.
2009 (63 O.S. Supp. 2009, Section 1-131), is amended to read as
follows:

Section 1-131. A. As used in this section:

1. "Electronic ~~medical~~ health record" or "~~EMR~~" "EHR" means an
electronic record of health-related information on an individual
that can be created, gathered, managed, and consulted by authorized
clinicians and staff within one or more health care ~~organization~~
settings;

2. "Health data exchange" means record-level health data
exchanged for the purpose of statistical data analysis, including,
but not limited to, quality, expenditure, and utilization data, for
the purpose of developing a uniform and routinely compiled dataset
that will make possible the ongoing analysis, comparison, and
evaluation of trends in the quality and delivery of health care

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

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

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

11 5. "Hub" means a registry, a data repository, or a patient
12 identity manager.

13 B. 1. There is hereby created the "Health Information
14 Infrastructure Advisory Board".

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

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

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

1 e. assisting the Oklahoma Health Care Authority in
2 developing a process to administer a loan program made
3 available through the American Recovery and
4 Reinvestment Act of 2009 designed to aid providers
5 with the adoption of electronic health records and to
6 spur health information exchanges at the state,
7 regional, and local levels.

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

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

- 17 a. confidentiality of information,
18 b. funding and implementation of the plan, which may
19 include phased-in implementation, and
20 c. procedures for coordinating, monitoring, and improving
21 data exchange that is compatible with current adopters
22 of electronic ~~medical~~ health record systems and health
23 information technologies.

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

- 4 a. the Oklahoma Health Care Authority,
- 5 b. the State Department of Health,
- 6 c. the Department of Mental Health and Substance Abuse
7 Services,
- 8 d. the Department of Human Services,
- 9 e. the State and Education Employees Group Insurance
10 Board,
- 11 f. the Insurance Department,
- 12 g. the Department of Corrections,
- 13 h. the State Department of Rehabilitative Services, and
14 i. the City-County Health Departments.

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

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

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

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

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

6 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-17-10 - DO
7 PASS, As Amended and Coauthored.