

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 1836

By: Crain

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5  
6 AS INTRODUCED

7 An Act relating to public health and safety; amending  
8 Section 1, Chapter 276, O.S.L. 2009 (63 O.S. Supp.  
9 2009, Section 1-131), which relates to the Health  
10 Information Infrastructure Advisory Board; modifying  
11 definition; modifying language; modifying duties of  
12 the Health Information Infrastructure Advisory Board;  
13 and providing an effective date.

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

15 SECTION 1. AMENDATORY Section 1, Chapter 276, O.S.L.  
16 2009 (63 O.S. Supp. 2009, Section 1-131), is amended to read as  
17 follows:

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

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

24 2. "Health data exchange" means record-level health data  
exchanged for the purpose of statistical data analysis, including,

1 but not limited to, quality, expenditure, and utilization data, for  
2 the purpose of developing a uniform and routinely compiled dataset  
3 that will make possible the ongoing analysis, comparison, and  
4 evaluation of trends in the quality and delivery of health care  
5 services for the purpose of effective health care planning by public  
6 and private entities, cost containment, health facility development,  
7 and improving access to, and quality of care;

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

11 4. "Health information technology" or "HIT" means technology  
12 that allows comprehensive management of medical information and its  
13 secure exchange between health care consumers and providers for  
14 treatment purposes; and

15 5. "Hub" means a registry, a data repository, or a patient  
16 identity manager.

17 B. 1. There is hereby created the "Health Information  
18 Infrastructure Advisory Board".

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

21 a. developing a strategy for the adoption and use of  
22 electronic ~~medical~~ health records and health  
23 information technologies that is consistent with  
24 emerging national standards and promotes

1 interoperability of health information systems. The  
2 strategy shall:

3 (1) be researched and contain the best practices in  
4 electronic ~~medical~~ health records systems and  
5 health information technologies,

6 (2) be designed to reduce medical errors and enable  
7 patients to make better decisions about their own  
8 health care by promoting secure access to medical  
9 records online, and

10 (3) assist in the design of the health information  
11 infrastructure roadmap, which shall contain the  
12 state plan for the exchange of health  
13 information,

14 b. the determinations related to data elements to be  
15 collected, ~~and~~

16 c. the governance structure and policies and procedures  
17 for the health information exchange, ensuring that the  
18 strategy and plan preserve the privacy and security of  
19 health information as required by state and federal  
20 law,

21 d. developing a strategy and process that will assist  
22 hospitals and health care providers in receiving  
23 electronic health record incentive payments made

1 available through the American Recovery and  
2 Reinvestment Act of 2009, and

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

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

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

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

1 of electronic ~~medical~~ health record systems and health  
2 information technologies.

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

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

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

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

22 8. Each agency shall receive one vote and a majority of the  
23 members in attendance at a meeting shall be able to take action on  
24 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.

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