



General Assembly

January Session, 2009

Committee Bill No. 782

LCO No. 4660

04660SB00782PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT PROMOTING THE USE OF HEALTH INFORMATION TECHNOLOGY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (*Effective from passage*) On or before July 1, 2009, the
2 Department of Public Health shall submit, in accordance with the
3 provisions of section 11-4a of the general statutes, to the joint standing
4 committee of the General Assembly having cognizance of matters
5 relating to public health, the state-wide health information technology
6 plan developed pursuant to section 19a-25d of the general statutes. Not
7 later than October 1, 2009, said committee shall advise the department
8 of its approval, modifications, if any, or rejection of the plan. The
9 department shall ensure that any modifications to the health
10 information technology plan made by said joint standing committee
11 are incorporated into the plan. If said joint standing committee does
12 not act by October 1, 2009, such plan shall be deemed approved.

13 Sec. 2. (NEW) (*Effective from passage*) (a) Notwithstanding any
14 provision of the general statutes or any provision of the plan
15 developed pursuant to section 19a-25d of the general statutes,
16 eHealthConnecticut, a broad-based health information technology

17 organization that includes providers, payers, employers, patients,
18 health care purchasers, business leaders and governmental
19 representatives, shall be designated as a state-wide health information
20 exchange network for the state. Upon being so designated,
21 eHealthConnecticut shall, in consultation with the Department of
22 Public Health, seek federal funds from sources that include, but are not
23 limited to, those set forth in the federal American Recovery and
24 Reinvestment Act of 2009 for the initial development of a state-wide
25 health information exchange. Any federal funds received by
26 eHealthConnecticut may be used for the purpose of establishing health
27 information technology pilot programs. Beginning on October 1, 2009,
28 eHealthConnecticut shall submit, in accordance with the provisions of
29 section 11-4a of the general statutes, quarterly reports, in accordance
30 with the provisions of section 11-4a of the general statutes, to the joint
31 standing committee of the General Assembly having cognizance of
32 matters relating to public health and the Department of Public Health
33 on any federal funds received during the preceding quarter and, if
34 applicable, how such funds have been expended. Such reports shall
35 minimally include the total amount of funds and the source providing
36 such funds.

37 (b) On and after July 1, 2009, eHealthConnecticut shall be
38 designated as the exclusive state-wide health information exchange
39 network for the state. As the exclusive state-wide health information
40 exchange, eHealthConnecticut shall: (1) Facilitate the implementation
41 and periodic revisions of the health information technology plan after
42 the plan is initially approved pursuant to the provisions of section 1 of
43 this act, including the implementation of an integrated state-wide
44 electronic health information infrastructure for the sharing of
45 electronic health information among health care facilities, health care
46 professionals, public and private payers and patients, and (2) on or
47 before February 1, 2010, and annually thereafter, report, in accordance
48 with the provisions of section 11-4a of the general statutes, on the
49 implementation of such plan to the joint standing committee of the
50 General Assembly having cognizance of matters relating to public

51 health. Such report shall include details concerning the status of the
52 implementation of the health information technology plan, and may
53 include recommended revisions to such plan, statutory changes
54 needed to facilitate the implementation of such plan and funding
55 needed to effectuate such plan along with the proposed sources of
56 such funding.

57 Sec. 3. (NEW) (*Effective from passage*) eHealthConnecticut shall
58 develop standards and protocols for privacy in the sharing of
59 electronic health information. Such standards and protocols shall be no
60 less stringent than the "Standards for Privacy of Individually
61 Identifiable Health Information" established under the Health
62 Insurance Portability and Accountability Act of 1996, (P.L. 104-191), as
63 amended from time to time, and contained in 45 CFR 160, 164. Such
64 standards and protocols shall require individually identifiable health
65 information is secure and that access to such information is traceable
66 by an electronic audit trail.

67 Sec. 4. (NEW) (*Effective from passage*) (a) Not later than October 1,
68 2009, the Department of Public Health shall develop conflict of interest
69 policies that shall be applicable to the board of directors, employees
70 and agents of eHealthConnecticut.

71 (b) In carrying out the responsibilities prescribed under sections 2
72 and 3 of this act, the board of directors, employees and agents of
73 eHealthConnecticut shall be subject to conflict of interest policies
74 established by the Department of Public Health pursuant to subsection
75 (a) of this section to ensure that deliberations and decisions are fair and
76 equitable.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section

Sec. 4	<i>from passage</i>	New section
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Statement of Purpose:

To promote the enhanced use of health information technology and to facilitate health information exchange.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. WILLIAMS, 29th Dist.

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