



General Assembly

Substitute Bill No. 782

January Session, 2009

* SB00782PH 032509 *

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.

7 Sec. 2. (NEW) (*Effective from passage*) (a) Not later than June 1, 2009,
8 the speaker of the House of Representatives and the president pro
9 tempore of the Senate, in consultation with the chairpersons and
10 ranking members of the joint standing committee of the General
11 Assembly having cognizance of matters relating to public health, the
12 Lieutenant Governor and the Commissioner of Public Health, shall
13 designate an entity to serve, on and after July 1, 2009, as the lead health
14 information exchange organization for the state. The designated entity
15 shall, in consultation with the Department of Public Health, seek
16 private and federal funds, including funds made available pursuant to
17 the federal American Recovery and Reinvestment Act of 2009, for the
18 initial development of a state-wide health information exchange. Any
19 private or federal funds received by such entity may be used for the

20 purpose of establishing health information technology pilot programs.
21 Beginning on October 1, 2009, such entity shall submit, in accordance
22 with the provisions of section 11-4a of the general statutes, quarterly
23 reports to the joint standing committee of the General Assembly
24 having cognizance of matters relating to public health and to the
25 Department of Public Health on any private or federal funds received
26 during the preceding quarter and, if applicable, how such funds have
27 been expended. Such reports shall minimally include the total amount
28 of funds and the source providing such funds.

29 (b) The entity designated, pursuant to subsection (a) of this section,
30 as the lead health information exchange organization for the state
31 shall: (1) Facilitate the implementation and periodic revisions of the
32 health information technology plan after the plan is initially submitted
33 in accordance with the provisions of section 1 of this act, including the
34 implementation of an integrated state-wide electronic health
35 information infrastructure for the sharing of electronic health
36 information among health care facilities, health care professionals,
37 public and private payors and patients, and (2) on or before February
38 1, 2010, and annually thereafter, report, in accordance with the
39 provisions of section 11-4a of the general statutes, on the
40 implementation of such plan to the joint standing committee of the
41 General Assembly having cognizance of matters relating to public
42 health. Such report shall include details concerning the status of the
43 implementation of the health information technology plan, and may
44 include recommended revisions to such plan, statutory changes
45 needed to facilitate the implementation of such plan and funding
46 needed to effectuate such plan along with the proposed sources of
47 such funding.

48 Sec. 3. (NEW) (*Effective from passage*) The entity designated, pursuant
49 to subsection (a) of section 2 of this act, as the lead health information
50 exchange organization for the state shall develop standards and
51 protocols for privacy in the sharing of electronic health information.
52 Such standards and protocols shall be no less stringent than the

53 "Standards for Privacy of Individually Identifiable Health Information"
 54 established under the Health Insurance Portability and Accountability
 55 Act of 1996, (P.L. 104-191), as amended from time to time, and
 56 contained in 45 CFR 160, 164. Such standards and protocols shall
 57 require that individually identifiable health information be secure and
 58 that access to such information be traceable by an electronic audit trail.

59 Sec. 4. (NEW) (*Effective from passage*) (a) Not later than June 1, 2009,
 60 the Department of Public Health shall develop conflict of interest
 61 policies that shall be applicable to the board of directors, employees
 62 and agents of the entity designated, pursuant to subsection (a) of
 63 section 2 of this act, as the lead health information exchange
 64 organization for the state.

65 (b) In carrying out the responsibilities prescribed under sections 2
 66 and 3 of this act, the board of directors, employees and agents of such
 67 entity shall be subject to conflict of interest policies established by the
 68 Department of Public Health, pursuant to subsection (a) of this section,
 69 to ensure that deliberations and decisions are fair and 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

PH *Joint Favorable Subst.*