



General Assembly

January Session, 2009

**Amendment**

LCO No. 7841

\*HB0660007841HRO\*

Offered by:

REP. CAFERO, 142<sup>nd</sup> Dist.

REP. HAMZY, 78<sup>th</sup> Dist.

REP. KLARIDES, 114<sup>th</sup> Dist.

To: Subst. House Bill No. 6600

File No. 920

Cal. No. 403

**"AN ACT CONCERNING THE ESTABLISHMENT OF THE  
SUSTINET PLAN."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (*Effective from passage*) On or before July 1, 2009, the  
4 Department of Public Health shall submit, in accordance with the  
5 provisions of section 11-4a of the general statutes, to the joint standing  
6 committee of the General Assembly having cognizance of matters  
7 relating to public health, the state-wide health information technology  
8 plan developed pursuant to section 19a-25d of the general statutes.

9 Sec. 2. (NEW) (*Effective from passage*) (a) Not later than June 1, 2009,  
10 the Governor, in consultation with the speaker of the House of  
11 Representatives, the president pro tempore of the Senate, the  
12 chairpersons and ranking members of the joint standing committee of  
13 the General Assembly having cognizance of matters relating to public

14 health, the Lieutenant Governor and the Commissioner of Public  
15 Health, shall designate an entity to serve, on and after July 1, 2009, as  
16 the lead health information exchange organization for the state. The  
17 designated entity shall, in consultation with the Department of Public  
18 Health, seek private and federal funds, including funds made available  
19 pursuant to the federal American Recovery and Reinvestment Act of  
20 2009, for the initial development of a state-wide health information  
21 exchange. Any private or federal funds received by such entity may be  
22 used for the purpose of establishing health information technology  
23 pilot programs. Beginning on October 1, 2009, such entity shall submit,  
24 in accordance with the provisions of section 11-4a of the general  
25 statutes, quarterly reports to the joint standing committee of the  
26 General Assembly having cognizance of matters relating to public  
27 health and to the Department of Public Health on any private or  
28 federal funds received during the preceding quarter and, if applicable,  
29 how such funds have been expended. Such reports shall minimally  
30 include the total amount of funds and the source providing such  
31 funds.

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

48 needed to facilitate the implementation of such plan and funding  
 49 needed to effectuate such plan along with the proposed sources of  
 50 such funding.

51 Sec. 3. (NEW) (*Effective from passage*) The entity designated, pursuant  
 52 to subsection (a) of section 2 of this act, as the lead health information  
 53 exchange organization for the state shall develop standards and  
 54 protocols for privacy in the sharing of electronic health information.  
 55 Such standards and protocols shall be no less stringent than the  
 56 "Standards for Privacy of Individually Identifiable Health Information"  
 57 established under the Health Insurance Portability and Accountability  
 58 Act of 1996, (P.L. 104-191), as amended from time to time, and  
 59 contained in 45 CFR 160, 164. Such standards and protocols shall  
 60 require that individually identifiable health information be secure and  
 61 that access to such information be traceable by an electronic audit trail.

62 Sec. 4. (NEW) (*Effective from passage*) (a) Not later than June 1, 2009,  
 63 the Department of Public Health shall develop, in consultation with  
 64 the Attorney General and within existing budgetary resources, conflict  
 65 of interest policies that shall be applicable to the board of directors,  
 66 employees and agents of the entity designated, pursuant to subsection  
 67 (a) of section 2 of this act, as the lead health information exchange  
 68 organization for the state.

69 (b) In carrying out the responsibilities prescribed under sections 2  
 70 and 3 of this act, the board of directors, employees and agents of such  
 71 entity shall be subject to conflict of interest policies established by the  
 72 Department of Public Health, pursuant to subsection (a) of this section,  
 73 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