

House Bill 2101

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor John A. Kitzhaber for Oregon Health Authority)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Oregon Health Authority to designate nonprofit entity to administer state policies and programs for electronic exchange of health information. Establishes board of directors to govern designated entity and specifies functions that entity may perform.

A BILL FOR AN ACT

1
2 Relating to the implementation of a statewide electronic health information exchange.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS 413.300 to**
5 **413.308.**

6 **SECTION 2. (1) The Oregon Health Authority shall designate a non-profit entity to im-**
7 **plement and administer the policies developed by the Health Information Technology Over-**
8 **sight Council under ORS 413.308 and the functions described in subsection (3) of this section.**

9 (2) The designated entity shall be governed by a board of directors consisting of 13
10 members appointed by the Governor. The board must include:

11 (a) The Director of the Oregon Health Authority or a designee of the director.

12 (b) The Director of Human Services or a designee of the director.

13 (c) The assistant director responsible for the administration of state medical assistance
14 programs or a designee of the assistant director.

15 (d) The Public Health Director or a designee of the director.

16 (e) Nine members who provide balanced representation of the public and private health
17 sectors, including representatives of:

18 (A) Hospitals and health systems;

19 (B) Physicians;

20 (C) Other health care providers;

21 (D) Health information organizations;

22 (E) Employers that purchase or self-insure health care coverage for employees;

23 (F) Health care consumers;

24 (G) Insurers as defined in ORS 731.106; and

25 (H) Medical education institutions.

26 (3) The designated entity may perform functions as prescribed by the authority including,
27 but not limited to:

28 (a) Building electronic health information exchange capacity statewide through develop-
29 ing or facilitating the creation of a statewide technical infrastructure that supports state-
30 wide electronic health information exchange and enables interoperability among users of

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **health information.**

2 **(b) Increasing public awareness of and support for statewide electronic health informa-**
3 **tion exchange and fostering agreement among health care providers and other users of**
4 **health care information on an approach to statewide electronic health information exchange.**

5 **(c) Implementing standards developed or recommended by the council and approved by**
6 **the authority for electronic health information exchange consistent with national standards,**
7 **implementation protocols and reporting requirements.**

8 **(d) Managing funding necessary to develop and sustain statewide electronic health infor-**
9 **mation exchange infrastructure and services.**

10 **(e) Conducting or overseeing electronic health information exchange business and tech-**
11 **anical operations, including providing technical assistance to health information organizations**
12 **and other electronic health information exchanges.**

13 **(f) Developing or facilitating the creation and use of shared directories and technical**
14 **services, as applicable to statewide electronic health information exchange.**

15 **(g) Implementing uniform statewide patient consent policies and authorization processes**
16 **developed or recommended by the council and approved by the authority to allow electronic**
17 **access to, review of or disclosure of a patient's identifiable health care information.**

18 **(h) Continuing to administer the certification standards developed or recommended by**
19 **the council and approved by the authority for local and regional electronic health informa-**
20 **tion exchange networks and confirming that any local and regional electronic health infor-**
21 **mation exchange network meets the criteria to participate in and connect to the statewide**
22 **electronic health information exchange network.**

23 **(i) Developing programs and initiatives to promote and advance electronic health infor-**
24 **mation exchange to improve the safety, quality and efficiency of health care and to reduce**
25 **waste due to redundancy and administrative costs.**

26 **(4) The authority may distribute federal funds, general funds or other funds available to**
27 **the authority to the designated entity to perform the functions prescribed by the authority.**

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