

1-1 By: Delisi (Senate Sponsor - Ellis) H.B. No. 921
1-2 (In the Senate - Received from the House April 26, 2007;
1-3 April 27, 2007, read first time and referred to Committee on
1-4 Government Organization; May 9, 2007, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 6,
1-6 Nays 0; May 9, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 921 By: Ellis

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the sharing of information among state agencies.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 2054.096(a), Government Code, is amended
1-13 to read as follows:

1-14 (a) Each agency strategic plan must be consistent with the
1-15 state strategic plan and include:

1-16 (1) a statement of the state agency's goals,
1-17 objectives, and programs as found in the agency's legislative
1-18 appropriations request;

1-19 (2) a description of the agency's major data bases and
1-20 their applications;

1-21 (3) a description of the agency's information
1-22 resources management organizations, policies, and practices;

1-23 (4) a description of interagency computer networks in
1-24 which the agency participates;

1-25 (5) a statement of the strategic objectives of the
1-26 agency relating to information resources management for the next
1-27 five fiscal years, beginning with the fiscal year during which the
1-28 plan is submitted, with a description of how those objectives help
1-29 achieve the agency's programs and goals, and a description of how
1-30 those objectives support and promote the goals and policies of the
1-31 state strategic plan;

1-32 (6) a description of any information resources
1-33 technology projects proposed by the agency, including:

1-34 (A) a statement of how the projects relate to
1-35 similar projects, as identified by the department, implemented or
1-36 proposed by other agencies;

1-37 (B) a description of any proposed plans for
1-38 coordinating the projects with other agencies;

1-39 (C) a statement of how projects proposed or
1-40 described under this subsection will provide a return on investment
1-41 according to guidelines developed by the department; and

1-42 (D) a detailed description of the past
1-43 performance of projects implemented under this subsection;

1-44 (7) the status of the agency's quality assurance
1-45 initiatives for:

1-46 (A) security; and

1-47 (B) major information resources projects;

1-48 (8) a description of measures taken by the agency to
1-49 comply with department rules and standards;

1-50 (9) a statement of how the agency has implemented any
1-51 applicable data sharing standards developed under Subchapter B,
1-52 Chapter 113, Health and Safety Code; and

1-53 (10) [~~9~~] other planning components that the
1-54 department may prescribe.

1-55 SECTION 2. Chapter 113, Health and Safety Code, as added by
1-56 Chapter 1016, Acts of the 79th Legislature, Regular Session, 2005,
1-57 is amended by designating Sections 113.001 through 113.014 as
1-58 Subchapter A and adding a heading for Subchapter A to read as
1-59 follows:

1-60 SUBCHAPTER A. TEXAS HEALTH CARE POLICY COUNCIL

1-61 SECTION 3. Chapter 113, Health and Safety Code, as added by
1-62 Chapter 1016, Acts of the 79th Legislature, Regular Session, 2005,
1-63 is amended by adding Subchapter B to read as follows:

SUBCHAPTER B. INTERAGENCY INFORMATION SHARING PILOT PROGRAM

Sec. 113.051. DEFINITION. In this subchapter, "participating agency" means a state agency that provides social services, mental health services, substance abuse services, or health services.

Sec. 113.052. DEVELOPMENT OF INFORMATION SHARING STANDARDS; PUBLICATION. (a) The council, in consultation with the Department of Information Resources, shall develop standards for the secure sharing of information electronically among participating agencies.

(b) The data sharing standards developed by the council under this section must:

(1) require a participating agency to comply with any federal or state law relating to the security and confidentiality of the information maintained or received by the agency;

(2) ensure the security of personally identifiable information and the protection of personally identifiable information from inappropriate release; and

(3) include strategies for sharing information and procedures for transferring information.

(c) The Department of Information Resources shall publish the standards for data sharing on the department's Internet website and shall notify the presiding officer of each house of the legislature of the publication of the data sharing standards.

(d) The presiding officer of the council may appoint work groups consisting of council members and representatives of participating agencies for any purpose consistent with the duties of the council under this subchapter.

(e) The council shall identify other state agencies with relevant expertise and related projects, and may appoint representatives of those agencies to work groups as appropriate.

Sec. 113.053. SHARING INFORMATION AMONG PARTICIPATING AGENCIES. In developing, procuring, and maintaining electronic and information resource systems, a participating agency shall conform to common client information interchange standards developed by the council whenever possible and practicable to allow for the secure sharing of information among participating agencies to identify and coordinate the provision of necessary services to individuals in the state, while ensuring the protection of personally identifiable information from inappropriate release.

Sec. 113.054. CONTINUITY OF CARE THROUGH INTERAGENCY INFORMATION SHARING. (a) The council shall coordinate the development of a system for ensuring that health care providers serving clients of state programs that provide health and social services receive information about past client encounters and client health information to support the clients' continuity of care, subject to funds appropriated for this purpose.

(b) The system described by Subsection (a) must comply with all state and federal medical privacy laws and regulations.

(c) The initial focus of the interagency information sharing system described by Subsection (a) should be the continuity of care for inmates being admitted to or discharged from Texas Youth Commission facilities.

Sec. 113.055. EVALUATION OF INTERAGENCY INFORMATION SHARING. The council, in consultation with the Department of Information Resources, shall:

(1) analyze and compare how participating agencies with common clients manage and exchange information relating to those clients;

(2) identify and rank in order of priority opportunities to improve an individual's interaction with multiple participating agencies;

(3) emphasize the development of standards that facilitate data sharing without requiring a participating agency to make significant custom modifications to the agency's information system or to incur significant expense; and

(4) emphasize that data shared under this subchapter must comply with any federal or state law relating to confidentiality of the information maintained or received by a

3-1 participating agency.

3-2 Sec. 113.056. USE OF DATA. Information gathered or shared
3-3 under this subchapter may not be used to enforce Title 8 of the
3-4 United States Code.

3-5 Sec. 113.057. EXPIRATION. This subchapter expires
3-6 September 1, 2013.

3-7 SECTION 4. The Texas Health Care Policy Council shall
3-8 publish the standards required by Section 113.052, Health and
3-9 Safety Code, as added by this Act, not later than September 1, 2008.

3-10 SECTION 5. This Act takes effect immediately if it receives
3-11 a vote of two-thirds of all the members elected to each house, as
3-12 provided by Section 39, Article III, Texas Constitution. If this
3-13 Act does not receive the vote necessary for immediate effect, this
3-14 Act takes effect September 1, 2007.

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