

SENATE AMENDMENTS

2nd Printing

By: Delisi

H.B. No. 921

A BILL TO BE ENTITLED

AN ACT

relating to the sharing of information among state agencies.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

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

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

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

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

(4) a description of interagency computer networks in which the agency participates;

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

(6) a description of any information resources

1 technology projects proposed by the agency, including:

2 (A) a statement of how the projects relate to
3 similar projects, as identified by the department, implemented or
4 proposed by other agencies;

5 (B) a description of any proposed plans for
6 coordinating the projects with other agencies;

7 (C) a statement of how projects proposed or
8 described under this subsection will provide a return on investment
9 according to guidelines developed by the department; and

10 (D) a detailed description of the past
11 performance of projects implemented under this subsection;

12 (7) the status of the agency's quality assurance
13 initiatives for:

14 (A) security; and

15 (B) major information resources projects;

16 (8) a description of measures taken by the agency to
17 comply with department rules and standards;

18 (9) a statement of how the agency has implemented any
19 applicable data sharing standards developed under Subchapter B,
20 Chapter 113, Health and Safety Code; and

21 (10) [~~9~~] other planning components that the
22 department may prescribe.

23 SECTION 2. Chapter 113, Health and Safety Code, as added by
24 Chapter 1016, Acts of the 79th Legislature, Regular Session, 2005,
25 is amended by designating Sections 113.001 through 113.014 as
26 Subchapter A and adding a heading for Subchapter A to read as
27 follows:

1 SUBCHAPTER A. TEXAS HEALTH CARE POLICY COUNCIL

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

5 SUBCHAPTER B. INTERAGENCY INFORMATION SHARING PILOT PROGRAM

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

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

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

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

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

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

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

1 legislature of the publication of the data sharing standards.

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

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

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

18 Sec. 113.054. EVALUATION OF INTERAGENCY INFORMATION
19 SHARING. The council, in consultation with the Department of
20 Information Resources, shall:

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

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

27 (3) emphasize the development of standards that

1 facilitate data sharing without requiring a participating agency to
2 make significant custom modifications to the agency's information
3 system or to incur significant expense; and

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

8 Sec. 113.055. USE OF DATA. Information gathered or shared
9 under this subchapter may not be used to enforce Title 8 of the
10 United States Code.

11 Sec. 113.056. EXPIRATION. This subchapter expires
12 September 1, 2013.

13 SECTION 4. The Texas Health Care Policy Council shall
14 publish the standards required by Section 113.052, Health and
15 Safety Code, as added by this Act, not later than September 1, 2008.

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

ADOPTED

MAY 17 2007

Atty Gen
Secretary of the Senate

By: ELLIS

H.B. No. 921

Substitute the following for H.B. No. 921:

By: Ellis

C.S.H.B. No. 921

A BILL TO BE ENTITLED

AN ACT

1 relating to the sharing of information among state agencies.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

3 SECTION 1. Section 2054.096(a), Government Code, is amended
4 to read as follows:

5 (a) Each agency strategic plan must be consistent with the
6 state strategic plan and include:

7 (1) a statement of the state agency's goals,
8 objectives, and programs as found in the agency's legislative
9 appropriations request;

10 (2) a description of the agency's major data bases and
11 their applications;

12 (3) a description of the agency's information
13 resources management organizations, policies, and practices;

14 (4) a description of interagency computer networks in
15 which the agency participates;

16 (5) a statement of the strategic objectives of the
17 agency relating to information resources management for the next
18 five fiscal years, beginning with the fiscal year during which the
19 plan is submitted, with a description of how those objectives help
20 achieve the agency's programs and goals, and a description of how
21 those objectives support and promote the goals and policies of the
22 state strategic plan;

23 (6) a description of any information resources
24

1 technology projects proposed by the agency, including:

2 (A) a statement of how the projects relate to
3 similar projects, as identified by the department, implemented or
4 proposed by other agencies;

5 (B) a description of any proposed plans for
6 coordinating the projects with other agencies;

7 (C) a statement of how projects proposed or
8 described under this subsection will provide a return on investment
9 according to guidelines developed by the department; and

10 (D) a detailed description of the past
11 performance of projects implemented under this subsection;

12 (7) the status of the agency's quality assurance
13 initiatives for:

14 (A) security; and

15 (B) major information resources projects;

16 (8) a description of measures taken by the agency to
17 comply with department rules and standards;

18 (9) a statement of how the agency has implemented any
19 applicable data sharing standards developed under Subchapter B,
20 Chapter 113, Health and Safety Code; and

21 (10) [~~9~~] other planning components that the
22 department may prescribe.

23 SECTION 2. Chapter 113, Health and Safety Code, as added by
24 Chapter 1016, Acts of the 79th Legislature, Regular Session, 2005,
25 is amended by designating Sections 113.001 through 113.014 as
26 Subchapter A and adding a heading for Subchapter A to read as
27 follows:

1 SUBCHAPTER A. TEXAS HEALTH CARE POLICY COUNCIL

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

5 SUBCHAPTER B. INTERAGENCY INFORMATION SHARING PILOT PROGRAM

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

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

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

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

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

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

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

1 legislature of the publication of the data sharing standards.

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

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

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

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

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

27 (c) The initial focus of the interagency information

1 sharing system described by Subsection (a) should be the continuity
2 of care for inmates being admitted to or discharged from Texas Youth
3 Commission facilities.

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

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

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

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

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

21 Sec. 113.056. USE OF DATA. Information gathered or shared
22 under this subchapter may not be used to enforce Title 8 of the
23 United States Code.

24 Sec. 113.057. EXPIRATION. This subchapter expires
25 September 1, 2013.

26 SECTION 4. The Texas Health Care Policy Council shall
27 publish the standards required by Section 113.052, Health and

1 Safety Code, as added by this Act, not later than September 1, 2008.

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 9, 2007

TO: Honorable Rodney Ellis, Chair, Senate Committee on Government Organization

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB921 by Delisi (Relating to the sharing of information among state agencies.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would add a requirement that each state agency's strategic plan be consistent with the state strategic plan and include a statement how the agency has implemented any applicable data sharing standards developed by the Texas Health Care Policy Council.

The bill would require the Council to develop information sharing standards in consultation with the Department of Information Resources among participating agencies. The proposed bill defines a participating agency to mean a state agency that provides social services, mental health services, substance abuse services, or health services.

The bill would require that the standards developed by the Council: require a participating agency to comply with any federal or state law relating to confidentiality of the information maintained or received by the agency; ensure the protection of personally identifiable information from inappropriate release; and include strategies for sharing information and procedures for transferring information.

The bill would require the Department of Information Resources to publish the standards for data sharing on their website and notify the presiding officer of each house of the legislature of the publication of the data sharing standards.

The bill would require a participating agency, in developing, procuring, and maintaining electronic and information resources systems to conform to common client information interchanges standards developed by the Council whenever possible and practicable to allow for the sharing of information among participating agencies to identify and coordinate the provision of necessary services to individuals in the state.

The bill would also require that the Council, in consultation with the Department of Information Resources: analyze and compare how participating agencies with common clients manage and exchange information relating to those clients; to identify and rank in order of priority opportunities to improve an individual's interaction with multiple participant agencies; and 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 expenses.

The bill would require the Council to publish the standards no later than September 1, 2008 and the requirements proposed would expire September 1, 2013.

The Department of Assistive and Rehabilitative Services estimates a cost associated with implementing the provisions of the bill, however it is assumed this cost could be absorbed with existing resources.

It is also assumed that any additional duties and responsibilities associated with implementing the provisions of the bill could be absorbed within existing state resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 301 Office of the Governor, 313 Department of Information Resources, 320 Texas Workforce Commission, 323 Teacher Retirement System, 530 Family and Protective Services, Department of, 537 State Health Services, Department of, 538 Assistive and Rehabilitative Services, Department of, 539 Aging and Disability Services, Department of, 781 Higher Education Coordinating Board

LBB Staff: JOB, EP, MN, MS, RC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 2, 2007

TO: Honorable Rodney Ellis, Chair, Senate Committee on Government Organization

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB921 by Delisi (Relating to the sharing of information among state agencies.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

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LBB Staff: JOB, EP, MN, MS, RC



LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 11, 2007

TO: Honorable Bill Callegari, Chair, House Committee on Government Reform

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB921 by Delisi (Relating to the sharing of information among state agencies.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would add a requirement that each state agency's strategic plan be consistent with the state strategic plan and include a statement how the agency has implemented any applicable data sharing standards developed by the Texas Health Care Policy Council.

The bill would require the Council to develop information sharing standards in consultation with the Department of Information Resources among participating agencies. The proposed bill defines a participating agency to mean a state agency that provides social services, mental health services, substance abuse services, or health services.

The bill would require that the standards developed by the Council: require a participating agency to comply with any federal or state law relating to confidentiality of the information maintained or received by the agency; ensure the protection of personally identifiable information from inappropriate release; and include strategies for sharing information and procedures for transferring information.

The bill would require the Department of Information Resources to publish the standards for data sharing on their website and notify the presiding officer of each house of the legislature of the publication of the data sharing standards.

The bill would require a participating agency, in developing, procuring, and maintaining electronic and information resources systems to conform to common client information interchanges standards developed by the Council whenever possible and practicable to allow for the sharing of information among participating agencies to identify and coordinate the provision of necessary services to individuals in the state.

The bill would also require that the Council, in consultation with the Department of Information Resources: analyze and compare how participating agencies with common clients manage and exchange information relating to those clients; to identify and rank in order of priority opportunities to improve an individual's interaction with multiple participant agencies; and 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 expenses.

The bill would require the Council to publish the standards no later than September 1, 2008 and the requirements proposed would expire September 1, 2013.

The Department of Assistive and Rehabilitative Services estimates a cost associated with implementing the provisions of the bill, however it is assumed this cost could be absorbed with existing resources.

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LBB Staff: JOB, EP, MN, MS, RC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 25, 2007

TO: Honorable Bill Callegari, Chair, House Committee on Government Reform

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB921 by Delisi (Relating to the sharing of information among state agencies.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill adds a requirement that each state agency's strategic plan be consistent with the state strategic plan and includes a statement how the agency has implemented the data sharing standards developed by the Client Information Interchange Standards Committee.

The bill requires the composition of the Client Information Interchange Standards Committee to consist of (1) the governor or the governor's designee; (2) the comptroller or the comptroller's designee; (3) the administrative head of the following agencies or that person's designee:

- a) the Department of Information Resources;
- b) the Health and Human Services Commission;
- c) the Texas Department of Criminal Justice;
- d) the Department of Public Safety of the State of Texas;
- e) the Texas Workforce Commission;
- f) the Texas Education Agency;
- g) any other state agency the committee determines necessary

The bill requires that the representative of the Department of Information Resources serve as the presiding officer of the committee and provide the staff and administrative support necessary for the committee to perform its duties.

The bill requires the Department of Information Resources, in consultation with the Client Information Interchange Standards Committee, to develop standards for sharing information electronically among state agencies.

It is assumed that any additional duties and responsibilities associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 313 Department of Information Resources

LBB Staff: JOB, MN, MS, EP, RC

