

By: Nelson

S.B. No. 289

A BILL TO BE ENTITLED

AN ACT

relating to ensuring that health information technology used in the medical assistance and child health plan programs conforms to certain standards.

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

SECTION 1. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.073 to read as follows:

Sec. 32.073. HEALTH INFORMATION TECHNOLOGY STANDARDS.

(a) In this section, "health information technology" means information technology used to improve the quality, safety, or efficiency of clinical practice, including the core functionalities of an electronic health record, an electronic medical record, a computerized physician or health care provider order entry, electronic prescribing, and clinical decision support technology.

(b) The Health and Human Services Commission shall ensure that any health information technology used in the medical assistance program conforms to the standards adopted by the Healthcare Information Technology Standards Panel sponsored by the American National Standards Institute.

SECTION 2. Subchapter B, Chapter 62, Health and Safety Code, is amended by adding Section 62.060 to read as follows:

Sec. 62.060. HEALTH INFORMATION TECHNOLOGY STANDARDS.

(a) In this section, "health information technology" means

1 information technology used to improve the quality, safety, or  
2 efficiency of clinical practice, including the core  
3 functionalities of an electronic health record, an electronic  
4 medical record, a computerized physician or health care provider  
5 order entry, electronic prescribing, and clinical decision support  
6 technology.

7 (b) The commission shall ensure that any health information  
8 technology used in the child health plan program conforms to the  
9 standards adopted by the Healthcare Information Technology  
10 Standards Panel sponsored by the American National Standards  
11 Institute.

12 SECTION 3. If before implementing any provision of this Act  
13 a state agency determines that a waiver or authorization from a  
14 federal agency is necessary for implementation of that provision,  
15 the agency affected by the provision shall request the waiver or  
16 authorization and may delay implementing that provision until the  
17 waiver or authorization is granted.

18 SECTION 4. This Act takes effect immediately if it receives  
19 a vote of two-thirds of all the members elected to each house, as  
20 provided by Section 39, Article III, Texas Constitution. If this  
21 Act does not receive the vote necessary for immediate effect, this  
22 Act takes effect September 1, 2009.