

By: Hinojosa

S.B. No. 2013

A BILL TO BE ENTITLED

AN ACT

relating to interoperable health information technology.

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

SECTION 1. Subtitle I, Title 2, Health and Safety Code, is amended by adding Chapter 183 to read as follows:

CHAPTER 183. INTEROPERABLE HEALTH INFORMATION TECHNOLOGY.

Sec. 183.001. The state shall leverage its market power to facilitate the adoption of health information technology the development of an statewide interoperable health information technology network The network must:

(1) provide secure aggregation and access to health care data through the use of a federated health information exchange infrastructure.

(2) provide cross-domain single sign-on allowing for real-time data aggregation across disparate organizations and systems; and

(3) be compatible with recognized national data standards in order to allow for interstate interoperability.

Sec. 183.002 DEFINITIONS. In this chapter:

(1) "Health information technology" means the application of information processing, involving both computer hardware and software that deals with the storage, retrieval, sharing and use of health care information, data and knowledge for communication and decision-making, and includes:

1 (A) An electronic health record that provides
2 access in real-time to a patient's complete medical record;

3 (B) a personal health record through which an
4 individual, and anyone authorized by such individual, can maintain
5 and manage such individual's health information;

6 (C) computerized order entry technology that
7 permits a health care provider to order diagnostic and treatment
8 services, including prescription drugs electronically;

9 (D) electronic alerts and reminders to health
10 care providers to improve compliance with best practices, promote
11 regular screenings and other preventive practices, and facilitate
12 diagnoses and treatments;

13 (E) error notification procedures that generate
14 a warning if an order is entered that is likely to lead to a
15 significant adverse outcome for a patient; and

16 (F) tools to allow for the collection, analysis
17 and reporting of data on adverse events, near misses, the quality
18 and efficiency of care, patient satisfaction and other
19 healthcare-related performance measures.

20 (2) "Interoperability" means the ability of two or
21 more systems or components to exchange information and to use the
22 information that has been exchanged, including:

23 (A) The capacity to physically connect to a
24 secure network for the purpose of exchanging data with other users;

25 (B) the ability of a connected user to
26 demonstrate appropriate permissions to participate in the sharing
27 of information over the network; and

1 (C) the capacity of a connected user with such
2 permissions to access, transmit, receive and exchange usable
3 information with other users.

4 (3) "Standard electronic format" means a format using
5 open electronic standards that:

6 (A) Enable health information technology to be
7 used for the collection of clinically specific data;

8 (B) promote the interoperability of health care
9 information across health care settings, including reporting to
10 local, state and federal agencies; and

11 (C) facilitate clinical decision support.

12 Section 183.003. PRIVACY AND SECURITY.

13 The network is expected to adhere to all applicable state and
14 federal privacy laws and to adopt appropriate security measures
15 related to both to data within the network and the network itself.

16 Section 183.004. GRANTS TO PROVIDERS.

17 The state may establish and implement a program to provide grants to
18 providers in need of assistance in obtaining hardware and software
19 needed to access the network. The XXXX shall adopt rules to
20 establish eligibility criteria, including financial need
21 thresholds and allowable purchases under the grant program.

22 Sec. 183.005. FUNDING. (a) The network may be funded
23 through the General Appropriations Act and the state may request,
24 accept, and use gifts and grants as necessary.

25 SECTION 2. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2009.