

By: Zerwas

H.B. No. 2939

Substitute the following for H.B. No. 2939:

By: Elkins

C.S.H.B. No. 2939

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the interoperability of and standards for information
3 systems of the Health and Human Services Commission and health and
4 human services agencies for sending and receiving protected health
5 information.

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

7 SECTION 1. Section 531.0162, Government Code, is amended by
8 adding Subsections (e) and (f) to read as follows:

9 (e) The executive commissioner shall ensure that:

10 (1) all information systems for use by the commission
11 or a health and human services agency in sending protected health
12 information to a health care provider or receiving protected health
13 information from a health care provider, and for which planning or
14 procurement begins on or after September 1, 2013, are capable of
15 sending or receiving that information in accordance with the
16 applicable data exchange standards developed by the appropriate
17 standards development organization accredited by the American
18 National Standards Institute;

19 (2) if no national data exchange standards exist for a
20 system described by this subsection, the commission makes every
21 effort to ensure that the system is interoperable with the national
22 standards for electronic health record systems; and

23 (3) the commission and each health and human services
24 agency establish an interoperability standards plan for all

1 information systems that exchange protected health information
2 with health care providers.

3 (f) Not later than December 1 of each even-numbered year,
4 the executive commissioner shall report to the governor and the
5 Legislative Budget Board on the commission's and the health and
6 human services agencies' progress in ensuring that the information
7 systems described in Subsection (e) are interoperable with one
8 another and meet the appropriate standards specified by that
9 subsection.

10 SECTION 2. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2013.