

Introduced by

Senators Anderson, J. Lee, Mathern

Representatives Keiser, Weisz

1 A BILL for an Act to create and enact a new section to chapter 54-59 of the North Dakota
2 Century Code, relating to creation of a health information hub office in the information
3 technology department and a health information hub executive committee; to provide a
4 continuing appropriation; and to provide an appropriation.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new section to chapter 54-59 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Health information hub office - Health information hub executive committee -**

9 **Continuing appropriation.**

- 10 1. The health information hub office is created in the information technology department.
11 The health information hub executive committee shall make recommendations to the
12 health information hub office for implementing a statewide health information hub that
13 is consistent with emerging national standards for the purpose of facilitating access to
14 and analyzing data to improve health care quality, patient safety, and the overall
15 efficiency of health care and public health services.
- 16 2. The health information hub executive committee consists of the state health officer or
17 the state health officer's designee; the executive director of the department of human
18 services or the executive director's designee; the university system chancellor or the
19 chancellor's designee; the dean of the university of North Dakota school of medicine
20 and health sciences or the dean's designee; the director of the Indian affairs
21 commission or the director's designee; the health information technology director or
22 the director's designee; the chairman of the house human services standing
23 committee and the chairman of the senate human services standing committee or if
24 either or both are unwilling or unable to serve, the chairman of the legislative

1 management shall appoint a replacement who is a member of the same legislative
2 chamber as the individual being replaced plus one additional member from each
3 chamber; a member representing the health council; and individuals appointed by the
4 governor to represent a broad range of public and private health information
5 technology stakeholders. Committee members appointed by the governor serve at the
6 pleasure of the governor. A member of the committee who is not an ex officio member,
7 designee of an ex officio member, state employee, or legislator is entitled to mileage
8 and expenses as provided by law for state officers and employees, to be paid by the
9 health information hub office. A committee member who is an ex officio member,
10 designee of an ex officio member, state employee, or legislator is entitled to receive
11 that member's regular salary and is entitled to receive mileage and expenses, to be
12 paid by the employing agency.

13 3. The health information hub executive committee shall collaborate with stakeholders to
14 develop, implement, and operate a statewide health information hub. The committee
15 shall:

- 16 a. Create a strategic and operational plan;
- 17 b. Design, develop, and implement a process to identify, facilitate access to,
18 analyze, and distribute health information;
- 19 c. Ensure privacy and security of protected health information; and
- 20 d. Ensure compliance with state and federal laws and regulations regarding health
21 information.

22 4. The health information hub executive committee shall set policy relating to and shall
23 recommend to the department and the department shall adopt rules relating to the
24 access to and the collection, storage, and sharing of information and the systems
25 necessary to perform those functions, subject to applicable federal and state privacy
26 laws and interagency agreements and restrictions relating to confidential information
27 required to conform to applicable federal and state privacy laws. The health
28 information hub executive committee shall provide operational oversight for
29 information sharing activities, make recommendations for, and provide oversight of
30 information sharing budgets. The committee may authorize studies to benefit and
31 improve the overall efficiency of health care and public health services.

- 1 5. The health information hub office, in collaboration with the health information hub
2 executive committee, may solicit and receive moneys from public and private sources
3 and these funds are appropriated on a continuing basis for the design, development,
4 implementation, and operation of the health information hub.
- 5 6. The health information hub office shall provide staffing and support services for the
6 committee and may contract with and employ personnel necessary for the
7 administration of this section.
- 8 7. ~~Any individually identifiable health information, as defined under the federal Health-~~
9 ~~Insurance Portability and Accountability Act of 1996 [Pub. L. 104-191], submitted to,~~
10 ~~stored in, or transmitted by the health information hub under this chapter and any such~~
11 ~~data or record in the possession of the health information hub office is confidential.~~
12 ~~Any other information relating to patients, individuals, or individually identifiable~~
13 ~~demographic information contained in the data hub or in the possession of the health-~~
14 ~~information hub office is an exempt record.~~ Information submitted to, stored in, or
15 transmitted by the health information hub or health information hub office under this
16 chapter that identifies individuals or could reasonably be used to identify individuals is
17 an exempt record under chapter 44-04, unless the information is confidential under
18 applicable federal or state law.

19 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general
20 fund in the state treasury, not otherwise appropriated, the sum of \$1,900,000, or so much of the
21 sum as may be necessary, to the information technology department to defray the costs of the
22 health information hub office and the health information hub executive committee, for the
23 biennium beginning July 1, 2015, and ending June 30, 2017. The information technology
24 department is authorized three full-time equivalent positions for purposes of implementing this
25 Act.