

**SECOND ENGROSSMENT
with House Amendments
REENGROSSED SENATE BILL NO. 2160**

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 for a
4 report to the information technology committee; to provide a continuing appropriation; and to
5 provide an appropriation.

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

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

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

10 **Continuing appropriation.**

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

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

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

17 a. Create a strategic and operational plan;

18 b. Design, develop, and implement a process to identify, facilitate access to,
19 analyze, and distribute health information;

20 c. Ensure privacy and security of protected health information; and

21 d. Ensure compliance with state and federal laws and regulations regarding health
22 information.

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

1 information sharing budgets. The committee may authorize studies to benefit and
2 improve the overall efficiency of health care and public health services.

3 5. The health information hub office, in collaboration with the health information hub
4 executive committee, may solicit and receive moneys from public and private sources
5 and these funds are appropriated on a continuing basis for the design, development,
6 implementation, and operation of the health information hub. The health information
7 hub office must be financially self-sustaining from funds available under this
8 subsection.

9 6. The health information hub office shall provide staffing and support services for the
10 committee and may contract with and employ personnel necessary for the
11 administration of this section.

12 7. Information submitted to, stored in, or transmitted by the health information hub or
13 health information hub office under this chapter that identifies individuals or could
14 reasonably be used to identify individuals is an exempt record under chapter 44-04,
15 unless the information is confidential under applicable federal or state law.

16 **SECTION 2. APPROPRIATION - REPORT TO INFORMATION TECHNOLOGY**

17 **COMMITTEE.** There is appropriated out of any moneys in the general fund in the state treasury,
18 not otherwise appropriated, the sum of \$250,000, or so much of the sum as may be necessary,
19 to the information technology department for the purpose of hiring a consultant for the health
20 information hub office, for the biennium beginning July 1, 2015, and ending June 30, 2017.
21 Before July 1, 2016, the information technology department shall report the findings of the
22 consultant to the information technology committee. The funding appropriated in this section is
23 considered a one-time funding item.