

HOUSE BILL NO. 86

INTRODUCED BY D. SANDS

BY REQUEST OF THE CHILDREN, FAMILIES, HEALTH, AND HUMAN SERVICES INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING FUNDS FOR THE DEVELOPMENT OF A PILOT PROJECT FOR THE EXCHANGE OF ELECTRONIC HEALTH CARE RECORDS; PROVIDING FOR A REPORT ON THE PROJECT; AND PROVIDING AN EFFECTIVE DATE."

WHEREAS, electronic management of patient health care records may give health care providers an important tool in treating patients and managing their medical conditions; and

WHEREAS, the U.S. Department of Health and Human Services has accepted uniform standards for what is known as a continuity of care record, which allows health care providers to share information about patients and the care they have received; and

WHEREAS, the exchange of this type of health care information could eliminate unnecessary tests, resulting in reduced costs not only for patients but also for the health care system as a whole; and

WHEREAS, continuity of care records may help physicians better manage the medical conditions of individual patients and also monitor how well they are managing the care for patients with similar medical conditions; and

WHEREAS, health information technology has the potential to not only improve overall health outcomes for Montana residents but also improve the ways in which health care is delivered.

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

NEW SECTION. Section 1. Appropriation. (1) There is appropriated \$1.5 million from the general fund to the department of public health and human services for the biennium beginning July 1, 2009. The department shall grant the funds to a Montana-based nonprofit entity for a health care information exchange pilot project that:

- (a) bases its health care information exchange design on the nationally accepted content and technical standards developed for the continuity of care record; and
- (b) includes in its health care information exchange design:
 - (i) features that create the ability to improve the management of chronic illnesses; and

1 (ii) provisions that will protect patient privacy and record security.

2 (2) In granting the funds, the department shall seek a nonprofit entity that:

3 (a) is governed by a board of directors made up of members who provide a good geographic and
4 demographic representation of the state and who represent the constituents interested in health care information
5 technology, including but not limited to physicians, health care facilities, insurers, telemedicine providers, and
6 government agencies;

7 (b) has developed a mission statement and articles of incorporation that are specifically focused on the
8 exchange of health care information;

9 (c) has obtained contributions from private companies as part of its plan for developing a Montana health
10 care information exchange pilot project;

11 (d) has developed a plan for long-term sustainability using private funds; and

12 (e) is prepared to quickly implement a health care information exchange pilot project.

13 (3) If the nonprofit entity obtains federal funds to support the electronic health care information exchange
14 pilot project, the amount of the state appropriation must be reduced by the amount of the federal funds.

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16 **NEW SECTION. Section 2. Reporting requirement.** The nonprofit entity selected to receive the funds
17 shall report to the children, families, health, and human services interim committee during the 2009-10 interim
18 on how the funds were used, including but not limited to the number of participants in the health care information
19 exchange pilot project and how the participants used the health care information exchange system to improve
20 patient care.

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22 **NEW SECTION. Section 3. Effective date.** [This act] is effective July 1, 2009.

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