ASSEMBLY, No. 2297

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JANUARY 27, 2020

Sponsored by:
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District 29 (Essex)
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Assemblywoman Timberlake

SYNOPSIS

Establishes centralized electronic health information exchange infrastructure to facilitate reentry into civilian life for recently incarcerated persons.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 2/13/2020)

AN ACT concerning electronic health information and amending P.L.2007, c.330.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 5 of P.L.2007, c.330 (C.26:1A-136) is amended to read as follows:

5. a. There is established the New Jersey Health Information Technology Commission. For the purpose of complying with the provisions of Article V, Section IV, paragraph 1 of the New Jersey Constitution, the commission is established within the Department of Health, but, notwithstanding the establishment, the commission shall be independent of any supervision or control by the department or any board or officer thereof.

b. The commission shall collaborate with the Office for e-HIT established pursuant to section 8 of **[**this act**]** P.L.2007, c.330 (C.17:1D-1), concerning all activities related to the development, implementation, and oversight of the plan.

The commission shall be responsible for approving the Statewide health information technology plan.

c. In providing advice on the development of the plan, the commission shall, at a minimum, consider the following:

(1) the importance of the education of the general public and health care professionals about the value of an electronic health infrastructure for improving the delivery of patient care;

(2) the means for the creation of an effective, efficient, Statewide use of electronic health information in patient care, health care policymaking, clinical research, health care financing, and continuous quality improvements;

(3) the means for the promotion of the use of national standards for the development of an interoperative system, including provisions relating to security, privacy, data content, structures and format, vocabulary, and transmission protocols;

(4) the nature of proper strategic investments in equipment and other infrastructure elements that will facilitate the ongoing development of a Statewide infrastructure;

(5) funding needs for the ongoing development of health information technology projects;

(6) actions needed to incorporate existing health care information technology initiatives into the plan in order to avoid incompatible systems and duplicative efforts;

(7) the proper means for the review and integration of the recommendations, findings, and conclusions of the New Jersey Health Information Security and Privacy Collaboration;

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

(8) the importance of recommending steps for the proper resolution of issues related to data ownership, governance, and confidentiality and security of patient information;

(9) the importance of promoting the deployment of health information technology in primary care provider settings; and

(10) the roles that the development and use of open-source electronic medical record software and the use of application service provider software can play in effectuating the purposes of paragraph (9) of this subsection.

d. The commission shall review the plan submitted by the Office for e-HIT and notify it of any changes needed to approve the plan.

e. The commission shall establish centralized, electronic health information exchange infrastructure, in a manner determined by the commission in consultation with the Department of Health and the Department of Corrections, for the purpose of electronically storing and sharing a patient's health information which is submitted to or requested of the commission by a health care professional, the Department of Corrections, a jail or prison, a prisoner reentry program or service, or an addiction treatment services provider. The commission shall ensure that the health information exchange infrastructure established pursuant to this subsection helps to facilitate the necessary exchange of a patient's health information between a health care professional, the Department of Corrections, a jail or prison, a prisoner reentry program or service, or an addiction treatment services provider at the request of the patient and with the patient's informed consent. The commission shall ensure that its health information exchange infrastructure and protocols for storing and sharing a patient's health information comply with applicable federal and State privacy laws.

(cf: P.L.2012, c.17, s.110)

2. This act shall take effect immediately.

STATEMENT

This bill provides for the establishment of centralized electronic health information exchange infrastructure to facilitate reentry into civilian life for recently incarcerated persons.

Under the bill, the New Jersey Health Information Technology Commission (commission) is to establish centralized, electronic health information exchange infrastructure, in a manner determined by the commission in consultation with the Department of Health and the Department of Corrections, for the purpose of electronically storing and sharing a patient's health information which is submitted to or requested of the commission by a health care professional, the Department of Corrections, a jail or prison, a

prisoner reentry program or service, or an addiction treatment services provider. The commission is to ensure that the health information exchange infrastructure established pursuant to this bill helps to facilitate the necessary exchange of a patient's health information between a health care professional, the Department of Corrections, a jail or prison, a prisoner reentry program or service, or an addiction treatment services provider at the request of the patient and with the patient's informed consent. The commission is to ensure that its health information exchange infrastructure and protocols for storing and sharing a patient's health information comply with applicable federal and State privacy laws.