

# SENATE, No. 1048

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JANUARY 30, 2020

**Sponsored by:**

**Senator JOSEPH P. CRYAN**

**District 20 (Union)**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

As introduced.



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

3

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

6

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

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

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

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

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

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

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

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

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

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

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

43 (7) the proper means for the review and integration of the  
44 recommendations, findings, and conclusions of the New Jersey  
45 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.

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

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

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

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

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

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

32  
33 2. This act shall take effect immediately.  
34  
35

## 36 STATEMENT

37  
38 This bill provides for the establishment of centralized electronic  
39 health information exchange infrastructure to facilitate reentry into  
40 civilian life for recently incarcerated persons.

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

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