



2022 SESSION
POSITION PAPER

BILL NO: HB 213
COMMITTEE: Health and Government Operations Committee
POSITION: SUPPORT

TITLE: Health Information Exchanges – Definition and Privacy Regulations

BILL ANALYSIS

House Bill 213 (“HB 213”) aligns the definition of a health information exchange (“HIE”) in statute with the federal definition of an HIE. Regulations governing the privacy and security of protected health information obtained or released through an HIE may not prohibit the sharing and disclosing of electronic health information for certain purposes.

POSITION AND RATIONALE

HIEs emerged more than a decade ago as a result of the federal Health Information Technology for Economic and Clinical Health (HITECH) Act of 2009, which provided funding for the establishment of HIEs by states or state-designated entities to support electronic data sharing. HIEs build secure and robust connections to enable the exchange of health data from disparate health information systems operated by providers, payers, electronic health record vendors, and government agencies. Aligning the statutory definition of an HIE with the federal definition is essential and supports HIE use of consistent standards that enable interoperability.¹

Alignment will address fragmentation and lack of coordination that impedes delivery system transformation. HIEs provide the framework for enabling the flow of electronic patient information between stakeholders. The lack of alignment obstructs the use of common standards necessary to support interoperability, resulting in digital information silos where the ability to electronically exchange health information is severely hampered.

Definition alignment is essential to ensure that HIEs are capable of connecting diverse stakeholders. In general, standards enable information to be accessed and shared appropriately and securely across the complete spectrum of care, within all applicable settings and with relevant stakeholders, including consumers. HIEs’ use of consistent interoperability standards is critical for health care providers to efficiently and economically exchange electronic health information.

For these reasons, the Commission asks for a favorable report on HB 213.

¹ Interoperability with respect to health information technology enables the secure exchange of electronic health information and allows for access, exchange, and use of electronically accessible health information for authorized use. Title 42 – The Public Health and Welfare, § 300ii–2, page 1,575 available at: www.govinfo.gov/content/pkg/USCODE-2020-title42/pdf/USCODE-2020-title42-chap6A-subchapXXVIII-sec300jj.pdf.