
By: **Delegates Rosenberg and Oaks**
Introduced and read first time: February 17, 2000
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force on Health Care and the Internet**

3 FOR the purpose of establishing a Task Force on Health Care and the Internet;
4 providing for the membership and staffing of the Task Force; requiring the Task
5 Force to study certain issues and carry out certain duties; requiring the Task
6 Force to issue certain reports; and generally relating to the creation of a Task
7 Force on Health Care and the Internet.

8 BY adding to
9 Article - Health - General
10 Section 4-310
11 Annotated Code of Maryland
12 (1994 Replacement Volume and 1999 Supplement)

13 Preamble

14 WHEREAS, The General Assembly finds that the use of the Internet and
15 electronic information systems generally to maintain and transmit medical records
16 and other individually identifiable health information provides the potential for
17 substantial benefits to Maryland consumers and recipients of health care services;

18 WHEREAS, Maryland is uniquely poised to take a leadership role in developing,
19 implementing, and mainstreaming the use of the Internet within the health care
20 industry;

21 WHEREAS, The goals of promoting health care applications on the Internet and
22 improving the efficiency and effectiveness of Maryland's health care system will
23 require protecting patient privacy interests while facilitating access to information
24 through electronic exchange;

25 WHEREAS, The federal Health Insurance Portability and Accountability Act
26 (HIPAA) of 1996 will establish mandatory rules for some health care information
27 activities, constrain the ability of states to regulate in some areas of health care, and
28 require all health care institutions to change the way they collect, maintain, disclose,
29 and protect health care data;

1 WHEREAS, A high-level Task Force on Health Care and the Internet should be
2 established to oversee the evolution of Internet-related health care activities and
3 assist public and private sectors to comply with HIPAA and related technology
4 standards and practices; now, therefore,

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
6 MARYLAND, That the Laws of Maryland read as follows:

7 **Article - Health - General**

8 4-310.

9 (A) THERE IS A TASK FORCE ON HEALTH CARE AND THE INTERNET.

10 (B) THE TASK FORCE SHALL CONSIST OF THE FOLLOWING MEMBERS:

11 (1) 11 MEMBERS APPOINTED BY THE GOVERNOR AS FOLLOWS:

12 (I) ONE REPRESENTATIVE OF THE MARYLAND INSURANCE
13 ADMINISTRATION;

14 (II) ONE REPRESENTATIVE OF THE DEPARTMENT OF HEALTH AND
15 MENTAL HYGIENE;

16 (III) ONE REPRESENTATIVE OF THE MARYLAND HEALTH CARE
17 COMMISSION;

18 (IV) ONE REPRESENTATIVE OF THE STATE INFORMATION
19 TECHNOLOGY BOARD;

20 (V) ONE REPRESENTATIVE OF THE HEALTH CARE PRACTITIONER
21 COMMUNITY;

22 (VI) ONE REPRESENTATIVE OF THE MENTAL HEALTH COMMUNITY;

23 (VII) ONE REPRESENTATIVE OF THE HEALTH INSURERS AND
24 HEALTH MAINTENANCE ORGANIZATION COMMUNITY;

25 (VIII) ONE REPRESENTATIVE OF THE BUSINESS COMMUNITY; AND

26 (IX) THREE REPRESENTATIVES OF THE GENERAL PUBLIC;

27 (2) ONE REPRESENTATIVE OF THE SENATE OF MARYLAND, APPOINTED
28 BY THE PRESIDENT OF THE SENATE; AND

29 (3) ONE REPRESENTATIVE OF THE HOUSE OF DELEGATES, APPOINTED
30 BY THE SPEAKER OF THE HOUSE.

31 (C) (1) THE GOVERNOR SHALL DESIGNATE A CHAIRMAN OR COCHAIRMEN
32 FROM AMONG THE MEMBERS.

1 (2) A MEMBER OF THE TASK FORCE MAY NOT RECEIVE COMPENSATION
2 AS A MEMBER BUT IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
3 STANDARD STATE TRAVEL REGULATIONS AS PROVIDE IN THE STATE BUDGET.

4 (3) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL
5 PROVIDE STAFF SUPPORT TO THE TASK FORCE.

6 (D) THE TASK FORCE SHALL:

7 (1) STUDY AND MAKE RECOMMENDATIONS CONCERNING THE
8 EMERGING ROLE IF INTERNET-RELATED HEALTH CARE ACTIVITIES BOTH
9 NATIONALLY AND IN MARYLAND;

10 (2) STUDY ISSUES RELATING TO PROTECTING THE PRIVACY AND
11 SECURITY OF MEDICAL RECORDS AND OTHER INDIVIDUALLY IDENTIFIABLE HEALTH
12 INFORMATION MAINTAINED OR TRANSMITTED IN ELECTRONIC FORM;

13 (3) RECOMMEND STANDARDS GOVERNING THE SECURE MAINTENANCE
14 AND TRANSMISSION IN ELECTRONIC FORM OF MEDICAL RECORDS AND OTHER
15 INDIVIDUALLY IDENTIFIABLE HEALTH CARE INFORMATION; AND

16 (4) ADVISE AND ASSIST PUBLIC AND PRIVATE SECTOR INSTITUTIONS
17 IDENTIFY LEVELS OF EXPERTISE REQUIRED TO COMPLY WITH THE FEDERAL
18 HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 AND RELATED
19 TECHNOLOGY STANDARDS AND PRACTICES.

20 (E) THE TASK FORCE SHALL ISSUE A PRELIMINARY REPORT TO THE
21 GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE
22 GENERAL ASSEMBLY BY DECEMBER 31, 2000 AND A FINAL REPORT BY DECEMBER 31,
23 2001.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
25 effect July 1, 2000.