

Sixty-fourth  
Legislative Assembly  
of North Dakota

## REENGROSSED SENATE BILL NO. 2160

Introduced by

Senators Anderson, J. Lee, Mathern

Representatives Keiser, Weisz

1 A BILL for an Act to create and enact a new section to chapter 54-59 of the North Dakota  
2 Century Code, relating to creation of a health information hub office in the information  
3 technology department and a health information hub executive committee; to provide for a  
4 report to the information technology committee; to provide a continuing appropriation; and to  
5 provide an appropriation.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1.** A new section to chapter 54-59 of the North Dakota Century Code is created  
8 and enacted as follows:

9 **Health information hub office - Health information hub executive committee -**  
10 **Continuing appropriation.**

- 11 1. The health information hub office is created in the information technology department.  
12 The health information hub executive committee shall make recommendations to the  
13 health information hub office for implementing a statewide health information hub that  
14 is consistent with emerging national standards for the purpose of facilitating access to  
15 and analyzing data to improve health care quality, patient safety, and the overall  
16 efficiency of health care and public health services.
- 17 2. The health information hub executive committee consists of the state health officer or  
18 the state health officer's designee; the executive director of the department of human  
19 services or the executive director's designee; the university system chancellor or the  
20 chancellor's designee; the dean of the university of North Dakota school of medicine  
21 and health sciences or the dean's designee; the director of the Indian affairs  
22 commission or the director's designee; the health information technology director or  
23 the director's designee; the chairman of the house human services standing  
24 committee and the chairman of the senate human services standing committee or if

1        either or both are unwilling or unable to serve, the chairman of the legislative  
2        management shall appoint a replacement who is a member of the same legislative  
3        chamber as the individual being replaced plus one additional member from each  
4        chamber; a member representing the health council; and individuals appointed by the  
5        governor to represent a broad range of public and private health information  
6        technology stakeholders. Committee members appointed by the governor serve at the  
7        pleasure of the governor. A member of the committee who is not an ex officio member,  
8        designee of an ex officio member, state employee, or legislator is entitled to mileage  
9        and expenses as provided by law for state officers and employees, to be paid by the  
10       health information hub office. A committee member who is an ex officio member,  
11       designee of an ex officio member, state employee, or legislator is entitled to receive  
12       that member's regular salary and is entitled to receive mileage and expenses, to be  
13       paid by the employing agency.

14       3. The health information hub executive committee shall collaborate with stakeholders to  
15       develop, implement, and operate a statewide health information hub. The committee  
16       shall:

- 17       a. Create a strategic and operational plan;  
18       b. Design, develop, and implement a process to identify, facilitate access to,  
19       analyze, and distribute health information;  
20       c. Ensure privacy and security of protected health information; and  
21       d. Ensure compliance with state and federal laws and regulations regarding health  
22       information.

23       4. The health information hub executive committee shall set policy relating to and shall  
24       recommend to the department and the department shall adopt rules relating to the  
25       access to and the collection, storage, and sharing of information and the systems  
26       necessary to perform those functions, subject to applicable federal and state privacy  
27       laws and interagency agreements and restrictions relating to confidential information  
28       required to conform to applicable federal and state privacy laws. The health  
29       information hub executive committee shall provide operational oversight for  
30       information sharing activities, make recommendations for, and provide oversight of

1 information sharing budgets. The committee may authorize studies to benefit and  
2 improve the overall efficiency of health care and public health services.

3 5. The health information hub office, in collaboration with the health information hub  
4 executive committee, may solicit and receive moneys from public and private sources  
5 and these funds are appropriated on a continuing basis for the design, development,  
6 implementation, and operation of the health information hub. **The health information**  
7 **hub office must be financially self-sustaining from funds available under this**  
8 **subsection.**

9 6. The health information hub office shall provide staffing and support services for the  
10 committee and may contract with and employ personnel necessary for the  
11 administration of this section.

12 7. Information submitted to, stored in, or transmitted by the health information hub or  
13 health information hub office under this chapter that identifies individuals or could  
14 reasonably be used to identify individuals is an exempt record under chapter 44-04,  
15 unless the information is confidential under applicable federal or state law.

16 **SECTION 2. APPROPRIATION - REPORT TO INFORMATION TECHNOLOGY**

17 **COMMITTEE.** There is appropriated out of any moneys in the general fund in the state treasury,  
18 not otherwise appropriated, the sum of ~~\$750,000~~\$250,000, or so much of the sum as may be  
19 necessary, to the information technology department ~~to defray the costs of~~for the purpose of  
20 hiring a consultant for the health information hub office ~~and the health information hub executive~~  
21 ~~committee~~, for the biennium beginning July 1, 2015, and ending June 30, 2017. ~~The information-~~  
22 ~~technology department is authorized one full-time equivalent positions for purposes of~~  
23 ~~implementing this Act.~~Before July 1, 2016, the information technology department shall report  
24 the findings of the consultant to the information technology committee. The funding  
25 appropriated in this section is considered a one-time funding item.