

2009 HOUSE JUDICIARY

HB 1144

## 2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1144

House Judiciary Committee

Check here for Conference Committee

Hearing Date: 1/14/09

Recorder Job Number: 6949, 6951

Committee Clerk Signature



Minutes:

**Chairman DeKrey:** We will open the hearing on HB 1144.

**Jennifer Witham, Director, Information Technology Services of Dept. of Human**

**Services:** Sponsor (attachment).

**Rep. Delmore:** Who has access to this information.

**Jennifer Witham:** It is important to understand that this bill is only clarifying what already exists in Century Code. So if you look on line 12, it is saying that information is used in the administration of any such program. We are bound by our internal policies, by federal policies; this is only clarifying that we're now implementing an information system that allows for increased capability for better case management purposes, in the electronic areas. It doesn't change anything that exists now in the law.

**Chairman DeKrey:** Thank you. Further testimony in support. Testimony in opposition. We will close the hearing. What are the committee wishes in regard to HB 1144.

**Rep. Delmore:** I move a Do Pass.

**Rep. Wolf:** Second.

13 YES 0 NO 0 ABSENT

DO PASS

CARRIER: Rep. Dahl

Date: 1/14/09  
Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1144

**HOUSE JUDICIARY COMMITTEE**

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken  DP  DNP  DP AS AMEND  DNP AS AMEND

Motion Made By Rep. Delmore Seconded By Rep. Wolf

Representatives	Yes	No	Representatives	Yes	No
Ch. DeKrey	✓		Rep. Delmore	✓	
Rep. Klemin	✓		Rep. Griffin	✓	
Rep. Boehning	✓		Rep. Vig	✓	
Rep. Dahl	✓		Rep. Wolf	✓	
Rep. Hatlestad	✓		Rep. Zaiser	✓	
Rep. Kingsbury	✓				
Rep. Koppelman	✓				
Rep. Kretschmar	✓				

Total (Yes) 13 No 0

Absent 0

Floor Carrier: Rep. Dahl

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
January 14, 2009 10:44 a.m.

**Module No: HR-07-0281**  
**Carrier: Dahl**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1144: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS**  
(13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1144 was placed on the  
Eleventh order on the calendar.

2009 SENATE JUDICIARY

HB 1144

## 2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1144

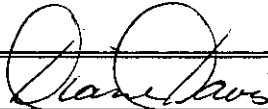
Senate Judiciary Committee

Check here for Conference Committee

Hearing Date: 2/18/09

Recorder Job Number: 9653

Committee Clerk Signature



Minutes: **Senator Nething, Chairman**

**Relating to confidentiality of information contained in records.**

**Jennifer Witham** – Director of Information Technology Services of Dept. of Human Services

See written testimony.

**Senator Nelson** – Could you tell us something about the Master Client Index.?

**Witham** – Replies, it is a matching program where you have information about individuals that are involved in different programs they serve. They are contained in different applications and different data stores. If they look across different data stores it does a probability match based on some of their demographic information. They can do better cross program analysis. If they are registering a new client they can check to see if this is duplicating an existing client.

**Senator Nething** – This bill simply keeps that information confidential.

**Witham** – Said the language being proposed is only for clarification. The language that exists says there is a confidentiality requirement except for in the case of administering the programs. We're asking for a change in the language so it's clear and doesn't cause confusion as we're trying to implement the master client index.

**Senator Nelson** – Asks if it would be better to be exempt rather than confidential.

**Senator Nething** – In order to administer the program the sharing of that information and cross programs may be necessary for the administration of that program. So it wouldn't be increasing any exposure. Just creates a more mechanized ability to do that matching across the program.

**Senator Olafson** – States, the information is confidential except within the department as is necessary to administrate the programs you're administrating. No one on the outside can get that information.

**Senator Schneider** – This would provide confidentiality of records unless prohibited by Federal Law. Is there a particular Federal Law your concerned about?

**Witham** – This language does not change anything we're doing today. And it is demographic information not the whole record.

Close the hearing 1144

**Senator Olafson** motions do pass

**Senator Fiebiger** seconds

Vote – 6-0

**Senator Olafson**

Date: 2/18  
Roll Call Vote #: 1

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1144

Senate JUDICIARY Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken  Do Pass  Do Not Pass  Amended

Motion Made By Senator Olafson Seconded By Senator Fiebiger

Senators	Yes	No	Senators	Yes	No
Sen. Dave Nething - Chairman	X		Sen. Tom Fiebiger	X	
Sen. Curtis Olafson - V. Chair.	X		Sen. Carolyn Nelson	X	
Sen. Stanley W. Lyson	X		Sen. Mac Schneider	X	

Total (Yes) 6 (N) 0

Absent \_\_\_\_\_

Floor Assignment Senator Olafson

If the vote is on an amendment, briefly indicate intent:



**REPORT OF STANDING COMMITTEE (410)**  
February 18, 2009 11:26 a.m.

**Module No: SR-32-3273**  
**Carrier: Olafson**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1144: Judiciary Committee (Sen. Nething, Chairman) recommends DO PASS**  
**(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1144 was placed on the**  
**Fourteenth order on the calendar.**

2009 TESTIMONY

HB 1144

*Same given  
to Senate.*

**Testimony**  
**House Bill 1144 – Department of Human Services**  
**House Judiciary Committee**  
**Representative DeKrey, Chairman**  
**January 14, 2009**

Chairman DeKrey, members of the House Judiciary Committee, I am Jennifer Witham, Director of Information Technology Services of the Department of Human Services. I am here today to provide information on the change proposed to section 50-06-15 of the North Dakota Century Code, relating to information confidentiality.

The proposed North Dakota Century Code change regarding information confidentiality arose during the current implementation of the Master Client Index project. The Master Client Index stores client demographic information and resolves client identities across multiple data sources. Sharing client demographic information aids in the resolution of identities that will decrease duplicate case creation and aid in case management and client service. This technology will be used by Department of Human Services programs, including the Decision Support Services (research) team, and other state agencies.

This clarification to the Century Code would ensure appropriate use of client demographic information for participating programs and agencies contained in the Master Client Index.

This concludes my testimony. I would be happy to answer any questions.