

**FIRST ENGROSSMENT
with House Amendments**

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2332

Introduced by

Senators J. Lee, Robinson

Representatives Kaldor, Weisz

1 A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota
2 Century Code, relating to creation of a health information technology office and advisory
3 committee; to amend and reenact section 23-01-31 of the North Dakota Century Code, relating
4 to the North Dakota health information technology steering committee; to provide an
5 appropriation; and to declare an emergency.

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

7 **SECTION 1.** A new section to chapter 23-01 of the North Dakota Century Code is
8 created and enacted as follows:

9 **Health information technology office - Health information technology advisory**
10 **committee - Grants.**

- 11 1. The state department of health shall provide or arrange for administrative services
12 to assist the health information technology office and the advisory committee.
13 2. The health information technology office, in consultation with the advisory
14 committee, shall:
15 a. Make recommendations for implementing a statewide interoperable health
16 information infrastructure that is consistent with emerging national standards,
17 promote the adoption and use of electronic health records and other health
18 information technologies, and promote interoperability of health information
19 systems for the purpose of improving health care quality, patient safety, and
20 the overall efficiency of health care and public health services; and
21 b. Develop a grant program to assist in the planning and implementation of
22 health information technology projects.

23 **SECTION 2. AMENDMENT.** Section 23-01-31 of the North Dakota Century Code is
24 amended and reenacted as follows:

1 **23-01-31. North Dakota health information technology steering committee.** The
2 North Dakota health information technology steering committee consists of the state health
3 officer or the state health officer's designee, the governor or the governor's designee, the
4 executive director of the department of human services or the executive director's designee,
5 and nine individuals appointed by the governor ~~to represent state government interests,~~ and
6 ~~individuals appointed by~~ the state health officer to represent health information technology
7 stakeholders.

8 **SECTION 3. PLANNING AND IMPLEMENTATION GRANTS.** The state department
9 of health may accept planning and implementation grants under the federal American Recovery
10 and Reinvestment Act of 2009 and disburse the funds to the health information technology
11 office, which may distribute the funds to nonprofit providers with broad stakeholder group
12 representation to improve quality and efficiency through the health information technology
13 office. The state department of health may accept grants to establish loan programs for the
14 purchase of certified electronic health record technology used to exchange health information
15 and provide the funds to the health information technology office, to provide the funds to
16 nonprofit providers with broad stakeholder group representation to improve quality and
17 efficiency through the health technology information office. The grants require a twenty percent
18 match of nonfederal funds by the nonprofit providers, beginning January 1, 2010. The granting
19 authority of the health information technology office is limited to the biennium beginning July 1,
20 2009, and ending June 30, 2011. Before October 2010, the health information technology
21 office shall report to the legislative council on the status of the current grant and potential
22 funding needs for the 2011-13 biennium.

23 **SECTION 4. APPROPRIATION.** There is appropriated out of any moneys in the
24 general fund in the state treasury, not otherwise appropriated, the sum of \$250,000, or so much
25 of the sum as may be necessary, to the state department of health for the purpose of defraying
26 the costs of the health information technology office and advisory committee, for the biennium
27 beginning July 1, 2009, and ending June 30, 2011.

28 **SECTION 5. APPROPRIATION.** There is appropriated out of any moneys in the
29 general fund in the state treasury, not otherwise appropriated, the sum of \$2,000,000, or so
30 much of the sum as may be necessary, and from federal funds made available to the state
31 under the federal American Recovery and Reinvestment Act of 2009, the sum of \$20,000,000,

1 or so much of the sum as may be necessary, as planning and implementation grants to be
2 accepted by the state department of health as provided in section 3 of this Act. The state
3 department of health may spend funds under this section subject to budget section approval of
4 the plan developed by the health information technology office. Any general fund moneys
5 appropriated under this section are not part of the agency's 2011-13 base budget.

6 **SECTION 6. EMERGENCY.** This Act is declared to be an emergency measure.