

## HEALTH INFORMATION TECHNOLOGY COMMISSION

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### House Bill 5336

**Sponsor: Rep. Gary A. Newell**

**Committee: Health Policy**

**Complete to 1-17-06**

## A SUMMARY OF HOUSE BILL 5336 AS INTRODUCED 10-19-05

The bill would create the Health Information Technology Commission which would prepare the way for patient medical records to be stored and transmitted electronically. Part 25, entitled "Health Information Technology," would be added to the Public Health Code. The commission would be housed within the Department of Community Health. The purpose of the commission would be to promote the design, implementation, operation, and maintenance of facilities for public and private use of health care information in the state.

The Commission. A 13-member board composed of members of state government, state medical schools, medical societies and associations, pharmacist organizations, and health insurers would be appointed by the governor. Terms would be for four years; initial terms would be staggered from one to four years. The bill would allow the governor to fill vacancies and to remove members under certain circumstances. Members would serve without compensation.

A chairperson and any other officers would be elected by majority vote. Meetings, after the first one, would have to be – at a minimum – held quarterly. All business would have to be conducted at public meetings held in compliance with the Open Meetings Act with public notice being given of the date, time, and place. A writing prepared, owned, used, in the possession of, or retained by the commission in the performance of an official function would have to be made available to the public in compliance with the Freedom of Information Act.

Powers and duties. Each of the following would be included:

- Development of a community-based health information network. The purpose of the network would be to facilitate communication of patient clinical and financial information. The network would be designed to promote more efficient and effective communication between various health care providers and health care facilities, insurers, and employers, among other health care entities; create efficiencies in health care costs by reducing redundancies in data capture and storage and reduce administrative, billing, and data collection costs; create an ability to monitor community health status; provide reliable information to health care consumers and purchasers regarding the quality and cost-effectiveness of

health care, health plans, and health care providers; and ensure the confidentiality of protected health information, including, but not limited to, patient identifiers.

- Development or design of any other initiatives in furtherance of the commission's purpose.
- On an annual basis, report and make recommendations to certain legislative committees in the House and Senate and to the Senate and House Fiscal Agencies.
- Perform any and all other activities in the furtherance of the above or as directed by the Department of Community Health, the Department of Information Technology, or both.

Civil immunity. The commission or a member of the commission would not be personally liable in a civil action for damages sustained by a person because of an action performed or done by the commission or a member in the performance of their respective duties in the administration and implementation of Part 25.

Commission Membership. Commission members would include the director of the Department of Community Health or a designee; the director of the Department of Information Technology or a designee, and one representative each of Blue Cross and Blue Shield of Michigan, the Michigan Health and Hospital Association, the Michigan State Medical Society, the Michigan Osteopathic Association, the State Chamber of Commerce, the University of Michigan Medical School, the Michigan State University College of Osteopathic Medicine, the Wayne State University Medical School, the Michigan Pharmacists Association, the Michigan Association of Health Plans, and health insurance companies.

MCL 333.2501 et al.

## **FISCAL IMPACT:**

A fiscal analysis is in process.

Legislative Analyst: Susan Stutzky  
Fiscal Analyst: Susan Frey

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.