# Presentation to the House Public Health Committee Interim Hearing

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What is the Texas e-Health Alliance?

- State's leading advocate, from local communities to the national level, for the use of health information technology to improve the health system for patients

- 501(c)6 non-profit started in 2009

- Serves as a trade association for HIT companies

What is e-Health?

- E-health is the transfer of health resources and health care by electronic means

*Identify strategies to support the efficient exchange of electronic health information with Texas Health and Human Services enterprise agencies.*

- We fully support HHSC policy circular 44
  - Requires state agencies to develop interoperability plans and move towards using standards in IT systems
  - Proposes a governance structure that will help resolve policy issues on data sharing
  - The state should see improvements in data quality, provider reporting, and project management when this is implemented
  - TeHA would like to see this language memorialized in statute

*Examine legal and technical issues around the accessibility of information held in registries maintained by state agencies to authorized health care providers.*

- Many of the governing statutes for public health registries (immunization, lab reporting, etc) predate the creation of HIEs
- Legal concerns have been raised that providers cannot delegate their required reporting to the state to their local HIE
- DSHS and THSA Sunset reports identify this as a barrier
- This will support a business case for HIEs to do reporting, creating administrative simplification for the state and for providers, and improving the timeliness and accuracy of the data
- Vendors need clarity on standards and permissions for public health data reporting to better serve their customers

*Identify issues related to health information exchange and providers' liability, as well as concerns related to transitioning patient data in cases where a provider selects a new electronic health record vendor.*

- Providers frequently cite the lack of legal precedents around the use of HIEs as a barrier to HIE adoption

- Concerns have been raised about who is liable if the information in an HIE is incorrect and used in a treatment decision

- THSA through Sunset is pursuing clarification that providers and HIEs are responsible only for their own errors

*Identify issues related to health information exchange and providers' liability, as well as concerns related to transitioning patient data in cases where a provider selects a new electronic health record vendor.*

- Industry is very aware that transitioning patient data is not always an easy or straightforward proposal
- As standards evolve towards interoperability, this problem should recede
- Steps are being taken to address the concerns, including:
  - Electronic Health Record Association Developers Code of Conduct, developed at the national level by major market share vendors, commits to addressing data transitions
  - Joint development of contracting guidance for physicians with TMA
- May be a role for HIEs in the transition of data, since they have interfaces for the major EHR products

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