



HB 2641 (Zerwas) Summary

Health information technologies, such as electronic health records and health information exchanges (HIEs) are playing a critical role in the delivery of healthcare across the state of Texas. Healthcare providers and communities in Texas have invested billions of dollars to implement systems designed to improve quality of care and help reduce healthcare costs. A fundamental capability of these systems is the ability to electronically exchange patient and clinical data, with consent when appropriate and in ways that are secure and protect patient privacy. With the passage of HB 2641, the legislature took proactive steps to ensure Texans are receiving the maximum benefits from the investment in these technologies. Specifically, HB 2641 contained the following provisions:

- Requires the executive commissioner of the Health and Human Services Commission to ensure that all systems set for future procurement be able to exchange health information in accordance with applicable electronic data exchange standards, which will promote interoperability.
- Allows, subject to certain requirements related to privacy and consent, health-related information to be transmitted through health information exchanges to the appropriate state agencies.
- Permits the executive commissioner by rule to develop and the commission to implement a system to reimburse providers of health care services under the state Medicaid program for the review and transmission of electronic health information, if feasible and cost-effective.
- Extends the Sunset date for the Medicaid remote monitoring benefit to 2019.
- Provides that physicians and providers whose information (patient medical records) is shared through an HIE receive protection from liability where another person obtains or uses the information in violation of privacy law.

Benefits of HB 2641:

- Guides the HHS agencies to align their future systems with the rest of our state's healthcare provider system, which will result in better health, lower costs, and less burden on the providers today and into the future.
- Reduces provider burdens on reporting required information to the HHS agencies, while also eliminating expenses through thoughtful evaluation of interoperability standards during the agencies' procurement process.
- Encourages use of HIEs by allowing physicians and other providers to access patient-specific data at the point of care in support of decision making which benefits the patient.
- Allows HIEs to report and access information held in DSHS registries, which will reduce administrative burdens on health care providers and on the agency.
- Improves timeliness and accuracy of public data received by the agencies.
- Ensures that remote monitoring will continue to be a Medicaid benefit.
- Provides for the creation of additional incentives through Medicaid to encourage providers to participate in HIEs, which will improve the availability of patient data to Medicaid providers.
- Reinforces Texas' place as a leader in tort reform by protecting physicians from liability in situations where privacy may be compromised by another party participating in the same HIE.

Summary

HB 2641 will increase provider participation in HIEs, which, in addition to increased patient safety and quality of care, will bring about the cost reductions and health care efficiencies which are needed in the healthcare system. It supports the state's overall goals of improving the quality of care and efficient use of acute and long-term care services, effectively coordinating acute and long-term care services, and reducing preventable health care utilization and costs.

