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The Texas e-Health Alliance is committed to continued advocacy on local, state, and national digital health issues.

## TEHA POLICY PRIORITIES 2021

### PRIORITY 1 | Patients and Consumers

We support legislation that provides options for patients and other consumers on how to manage their health care information, encourages them to take an active role in managing their health care information and enables them to be an active participant in their healthcare decision making. This includes support for legislation that:

- Encourages patient-centered care and the use of personal health records, with an emphasis on improving access to patients' personal health data.
- Provides for meaningful consent by patients prior to sharing outside of their healthcare process or the sale of their protected healthcare information. The state should take an active role, wherever possible, in standardizing consent and allowing for electronic forms of consent, provided on-site or remotely, to enable the establishment of a complete healthcare record. Every effort should be made to acknowledge the value of appropriate data sharing, and to encourage the sharing of data for patient care and care coordination.
- Creates access to the benefits of healthcare IT and to the communication infrastructure (wired and wireless) needed to facilitate healthcare, including telemedicine. Existing infrastructure should be leveraged whenever possible, and first responders should receive prioritized access to resources in emergencies.
- Enables more providers, patients, and consumers to participate in clinical trials via health information technology.
- Ensures that state laws related to data sharing are aligned with federal law whenever possible.

## **PRIORITY 2 | Cybersecurity**

We support legislation that recognizes that the health care ecosystem, which is already highly regulated, must rationally balance the need for security against the requirement that patient care be efficient and appropriately provided. This includes support for a state level regulatory structure that:

- Focuses on education and sharing best practices at the state level.
- Provides incentives for compliance with state and federal security laws by state contractors.
- Creates an environment where contractors can still effectively and innovatively provide services to their customers while complying with state and federal law.

## **PRIORITY 3 | Delivery System Reform**

We support legislation that provides for the broadest array of options in the delivery of care so long as those options do not create credible threats to the quality of care, patient safety, or patient privacy. This includes support for a regulatory structure that:

- Removes existing barriers, avoids creating new barriers, and provides clear guidance in the use of telemedicine, telehealth and remote monitoring as long as the standard of care is met.
- Ensures that state laws related to telemedicine and telehealth are aligned with federal law whenever possible unless federal law is more restrictive than state law.
- Evaluates and adopts the flexibilities created as part of the response to COVID-19 as long as they support the standard of care and documentation standards.
- Includes an appropriate role for tools such as telephone calls and texting, in order to support social distancing and within the context of existing treatment relationships.
- Acknowledges that these technologies have become an essential tool in the health care ecosystem that can provide access to care, address the provider shortage, and gain efficiencies in health care delivery. In addition, Texas should adopt reimbursement policies that promote value based models.

- Encourages providers to use tools such as electronic medical records and health information exchanges to have more complete information available about the patient, if needed, as part of a telemedicine or telehealth encounter. State policies should remove barriers to and provide incentives for data sharing among members of the patient-centered care team to support the provision of telemedicine and telehealth and to improve care coordination and continuity of care.

## **PRIORITY 4 | Adoption, Regulation, Oversight, and Coordination of Healthcare Information Technology**

We support legislation that enables the efficiencies of free-market forces constrained only by appropriate privacy and confidentiality considerations to promote quality of care and/or reduce cost of care. This specifically includes support for legislation that:

- Supports the mission of the Texas Health Services Authority: to promote and coordinate the development of a seamless electronic health information infrastructure to improve the quality, safety, and efficiency of the Texas health care sector while protecting individual privacy.
- Removes statutory barriers to, or promotes and develops, the widespread adoption of HIE, e-prescribe, prescription drug monitoring system access, and electronic medical records. This includes information technology systems at HHS agencies that interface with provider systems using nationally recognized standards to facilitate data sharing, as well as appropriate program and data analysis.
- Encourages the HHS agencies to be full participants in state level health information exchange activities and actively seek opportunities to improve their programs and infrastructure through HIE. Agency projects like legacy system modernization and data integration should be driven through a strategic planning process that takes a comprehensive look at data and assets.
- Encourages innovation in health care service delivery, shortens the time to implementation of new technology-supported approaches to program management, and enables the ability of digital tools to support value-based models and broaden market adoption of these tools.
- Empowers both traditional and nontraditional providers to innovate in the healthcare market.

## **PRIORITY 5 | Development of a Vibrant, Competitive State Vendor Marketplace**

We support legislation that acknowledges the value that the commercial health information technology community brings to Texas, and that state procurement processes should be done in a way that promotes mutual trust, communication and collaboration.

The legislature should expect vendors to be measured for performance, and the contracting opportunities should also be constructed in a way that allow for innovation and flexibility in the approaches being brought to the agency. The contracting environment should be collaborative and have clear, predictable incentives for performance and efficiency that bring value to the state, as well as ensuring that liability provisions in contracts are fair and proportional to the work being done.

## **PRIORITY 6 | Health Information Technology Workforce**

We support legislation that provides needed resources and attention to building a healthcare workforce for the 21st century. This specifically includes support for:

- Developing a cybersecurity workforce in partnership with our institutions of higher education.
- Providing continuing education to the existing and future healthcare workforce on new and emerging technologies and models. Our aging population and aging providers will require technology solutions that make the most of existing resources and bring new solutions to the table.
- Acknowledging that health information technology solutions can help address the provider shortage and gain efficiencies in health care delivery.

## **Agency Legislative Appropriation Request Exceptional Items**

We support full funding for the following exceptional items:

- ✓ **Health and Human Services LAR Item #6**  
\$70 million in all funds for IT Security Threat Reduction and System Stabilization
- ✓ **HHSC LAR Item #7**  
\$270 million in all funds for MMIS Modernization Procurement and Timeline
- ✓ **HHSC LAR Item #10**  
\$11 million in all funds for Enterprise Data Governance
- ✓ **Department of State Health Services LAR Item #1**  
\$34.8 million in all funds for Improving Infectious Disease Prevention, Epidemiology and Surveillance
- ✓ **DSHS LAR Item #2**  
\$19 million in general revenue for Rural and Frontier Public Health Services
- ✓ **DSHS LAR Item #4**  
\$20 million in general revenue for Business Upgrades
- ✓ **State Board of Pharmacy LAR Item #11**  
\$5 million general revenue for Prescription Monitoring Program – Statewide Integration, NarxCare, and Clinical Alerts Subscription



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