

were introduced, with 59 passed in 34 states, plus the District of Columbia. Tables 2-1 through 2-3 summarize this activity. The information contained in these tables is current as of December 14, 2007, and is based on the sources listed. There may be some pieces of legislation missing based on when the eHealth Initiative and NCSL conducted their surveys.

Table 2-1. State Legislative Activity in Health IT, 2005–2007—Legislation Introduced and Passed

Alabama
Act 2007-171, AL HJR 176 – Enacted 04/16/2007 - Establishes the Health Information Technology Partnership.
Arizona ^a
Chapter 255, AZ H 2781 – Enacted 06/25/2007 - Appropriates funds for electronic medical records.
Arkansas ^a
Act 1283, AR H 1354 – Enacted 04/05/2007 - Includes funding for the Health Department Technology Fund and for Information Technology Initiative activities of the Department of Health.
California ^a
CA SB 1039 – Enacted 10/11/2007 - Makes technical and conforming changes to the Public Health Act of 2006. Establishes new functions and responsibilities for the State Department of Public Health and the State Department of Health Care Services.
Connecticut ^a
House Bill No. 8002 – Enacted 06/26/2007 – Implements the provisions of the budget concerning human services and public health.
Senate Bill No. 1484 – Enacted 07/10/2007 – Concerns the HealthFirst Connecticut and Healthy Kids initiatives.
Colorado ^a
Chapter 282, CO S 196 – Enacted 05/24/2007 - Creates the health IT advisory committee to develop a long-range plan for health care information technology.
Chapter 319, CO H 1346 – Enacted 05/29/2007 - Allows for increased fees to cover use and maintenance of electronic health records to contractors within the Medical Assistance Program.
Chapter 296, CO S 74 – Enacted 05/25/2007 - Creates the emergency access to health information demonstration program.
Delaware
DE S 155 – Enacted 07/01/2007 - Appropriates funds for the Delaware Health Information Network.
District of Columbia
DC B 2 – Enacted 01/16/2007 - Includes appropriations for electronic health records system in community health centers.

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Table 2-1. State Legislative Activity in Health IT, 2005–2007—Legislation Introduced and Passed (continued)

<p>Florida^a</p> <p>House Bill No. 7073 – Enacted 06/20/2006 - Renaming the State Center for Health Statistics; revising criteria for collection and use of certain health-related data; providing responsibilities of the Agency for Health Care Administration; providing for agency consultation with the State Consumer Health Information and Policy Advisory Council for the dissemination of certain consumer information; requiring the Florida Center for Health Information and Policy Analysis to provide certain technical assistance services...</p> <p>Senate Bill No. 1408 – Enacted 07/01/2006 – An act relating to medical records; amending s. 456.057, F.S.; providing definitions; requiring a health care practitioner’s employer who is a records owner and a records custodian to comply with specified requirements for confidentiality and disclosure; amending s. 456.42, F.S.; providing requirements for prescriptions of medicinal drugs by health care practitioners which are electronically generated or transmitted; creating s. 456.43, F.S.; regulating electronic prescribing for medicinal drugs; providing restrictions for electronic prescribing software; providing definitions; authorizing electronic prescribing software to show information regarding a payor’s formulary under certain circumstances;...</p>
<p>Georgia</p> <p>GA H 94 – Enacted 04/19/2007 – Provides funding to the Georgia Association for Primary Health Care to complete the statewide electronic medical records system to link the Federally Qualified Community Health Centers.</p>
<p>Idaho</p> <p>ID H 159 – Enacted 03/27/2007 – Creates a Community Health Center Grant Fund with the intent of improving access to health care services through grants.</p>
<p>Illinois^a</p> <p>IL S 3866 – Enacted 08/23/2007 – Funds expenses of the Adoption Registry and Medical Information Exchange.</p>
<p>Indiana^a</p> <p>Public Law 111, IN S 551 – Enacted 05/02/2007 – Establishes the Health Informatics Corporation.</p>
<p>Iowa^a</p> <p>IA H 451 – Enacted 04/20/2007 - Creates a single point of entry long-term living resource systems team. The team will issue a report to the general assembly by December 1, 2008, that includes recommendations regarding the use of electronic health records.</p> <p>IA H 909 – Enacted 05/29/2007 - Makes appropriations procurement and installation for electronic medical records within a state facility.</p>
<p>Kansas^a</p> <p>KS H 2368 – Enacted 04/23/2007 - Appropriates funds to support ongoing health information exchange initiatives that include health information exchange infrastructure planning, privacy and security collaboration, the advanced identification card project and the community health record project and to support the inclusion of disease management, a strengthening of electronic prescribing and electronic medical records, and the development of pilot programs and compatibility with the private sector.</p>

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Table 2-1. State Legislative Activity in Health IT, 2005–2007—Legislation Introduced and Passed (continued)

Kentucky^a

SB 2 – Enacted 03/08/2005 – Calls for the development and implementation of a statewide Kentucky e-Health Network, or Ke-HN. The goal of Ke-HN is to improve the quality and reduce the cost of health care for Kentuckians.

Louisiana^a

Act 243, LA S 1 – Enacted 07/06/2007 – Authorizes the Department of Health and Hospitals to develop and implement a health care delivery system for Medicaid recipients and low-income uninsured citizens.

Act 172, LA S 238 – Enacted 06/27/2007 – Establishes the Health Care Redesign Fund in the state treasury.

Act 203, H 765 – Enacted 06/27/2007 – Payable out of the State General Fund (Direct) for implementation of Phase I of the statewide electronic medical records system for state public hospitals and medical centers.

Maine^a

Chapter 72, ME H 548 – Enacted 05/04/2007 – Expands the definition of health care facility under the Maine Health and Higher Educational Facilities Authority Act.

Maryland

MD H 979 – Enacted 04/24/2007 – Establishes a health information exchange pilot project.

Massachusetts^a

MA H 4141 – Enacted 07/12/2007 – Appropriates funds for fiscal year 2008.

MA H 4160 – Enacted 10/10/2007 – Establishes an electronic health records task force.

Michigan^a

Public Act 7, MI S 404 – Enacted 05/07/2007 – Appropriations for the Medical Services Administration for health IT initiatives.

MI S1 – Enacted 10/01/2007 – Requests a federal waiver for incentives for Medicaid recipients.

Minnesota^a

Chapter 147, MN H 1078 – Enacted 05/25/2007 – To develop a statewide plan, including uniform standards to be used for meeting the 2015 goal, of providing an interoperable system for sharing and synchronizing patient data across systems.

Chapter 148, MN H 548 – Enacted 05/25/2007 – To establish an enterprise-wide pilot project to provide consumer-owned electronic personal health records to employees of Minnesota state colleges and universities and all participants in the state employee group insurance program.

Chapter 144, MN H 1063 – Enacted 05/30/2007 – Appropriates funds for higher education if certain conditions are met for increased training of students on the use of electronic medical record technology.

Missouri

MO S 577 – Enacted 07/02/2007 – Among other things creates a Healthcare Technology Fund.

MO H 11 – Enacted 06/27/2007 – Funds an electronic pilot project in 1 or more skilled nursing facilities in Greene County to study the cost effectiveness of electronic health records in long-term care and the financial benefit to Missouri HealthNet from the Nursing Facility Quality of Care Fund.

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Table 2-1. State Legislative Activity in Health IT, 2005–2007—Legislation Introduced and Passed (continued)

Montana
MT D 683, MT SJR 19 – Enacted 04/24/2007 – Relates to developing health IT.
Nebraska
LB 185 Section 71-5185 – 2007 – Language was changed to allow the 2-way exchange of electronic medical information and to clarify rights and protections.
Nevada
Chapter 423, NV S 536 – Enacted 06/13/2007 – HIPPA-covered entities that transit individually identifiable health information in compliance with HIPPA provisions are exempt from more stringent state laws. The bill also allows individuals to opt out of electronic transmission of individually identifiable health information with an exceptions for Medicaid and SCHIP patients and when required by HIPPA or state law.
New Hampshire ^a
HB 514 – Enacted 05/26/2005 –Establishes the New Hampshire health care quality assurance commission to enable health care providers to share information about adverse outcomes and prevention strategies in learning environments which foster candor and self-critical analysis while maintaining the confidentiality of the information submitted to the commission, the proceedings of the commission, and the results of the commission’s deliberations.
New Mexico
Chapter 007-21, NM S 611 – Enacted 03/13/2007 – To purchase electronic health records software for the Mora Valley community health center.
NM HM 60 – Enacted 03/07/ 2007 – Asks the health and human services committee to conduct a board review of health care reform including health IT.
New York ^a
Chapter 54, NY S 2104 – Enacted 04/09/2007 – For services and expenses of health IT.
North Dakota
ND H 1021 – Enacted 05/02/2007 - Appropriates funds for the Information Technology Department and creates a health IT steering committee.
Ohio ^a
OH H 119 – Enacted 06/30/2007 - Establishes the health information and imaging technology workforce development pilot project.
Oklahoma ^a
OK H 1818 – Engrossed 02/14/2007 – Creates a task force on health care IT.
Oregon
OR S 329 – Enacted 06/28/2007 – Develops recommendations for a model quality institute that provides leadership and support to further the development of widespread and shared electronic health records; and develops the capacity of the workforce to capitalize on health IT.
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Table 2-1. State Legislative Activity in Health IT, 2005–2007—Legislation Introduced and Passed (continued)

Rhode Island ^a
H 7120 – Enacted 06/24/2006 – A new state budget under which the state agreed to contribute \$6 million to help finance the cost of building a regional health information organization, subject to certain conditions.
Tennessee
SB 2268 – Enacted 06/06/2007 - Requires approval from the Commissioner of Finance and Administration for all state contracts for the development or purchase of health IT with other states and federal agencies.
Texas
TX H 1066 – Enacted 06/15/2007 – Relates to electronic health information and electronic health records; creates the Texas Health Service Authority Corporation.
TX S 10 – Enacted 06/14/2007 – Creating health care systems efficiencies, such as using electronic medical records systems.
TX H 522 – Enacted 05/25/2007 – Establishes an advisory committee on health information exchange; establishes an identification card pilot project program.
TX S 11 – Enacted 06/06/2007 – Relating to homeland security and protection of the public, including protections against human trafficking; providing penalties.
Vermont ^a
Act 27, VT H 380 – Enacted 05/16/2007 – Amends hospital reporting and licensing requirements...
Act 70, VT H 229 – Enacted 06/05/2007 – Makes corrections and clarifications to the 2006 Health Care Affordability Act and related legislation.
Act 71, VT H 531 – Enacted 06/04/2007 – Establishes outreach and enrollment principles for Catamount Health and state benefit programs; establishes the rural health alliance. Requires that all primary care providers participating in the project use health IT.
Virginia
Chapter 847, VA H 1650 – Enacted 04/04/2007 – Appropriates public revenues.
Chapter 635, VA H 2198 – Enacted 03/20/2007 –Requires any electronic health records system or software purchased by a state agency to adhere to accepted standards for interoperability or to be certified by a recognized certification body.
Washington ^a
Chapter 259, WA S 5930 – Enacted 05/02/2007 – Provides high quality, affordable health care to residents based on the recommendations of the blue ribbon commission on health care costs and access.
Chapter 2007-522, WA H 1128 – Enacted 05/15/2007 – Makes appropriations for 2007–2009.
Chapter 114, WA S 5640 – Enacted 04/18/2007 – Through state health purchasing, reimbursement, or pilot strategies, promotes and increases the adoption of health IT systems, including electronic medical records.

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Table 2-1. State Legislative Activity in Health IT, 2005–2007—Legislation Introduced and Passed (continued)

West Virginia ^a
Senate Bill No. 170 – Enacted 06/09/2006 – Relating to the establishment of the West Virginia Health Information Network; establishing purpose of the network; setting up a board of directors; establishing membership and terms of office of the board; permitting promulgation of legislative rules; establishing the powers and duties of the network; setting up a special revenue account; immunity from liability; property rights; dispute resolution; and confidentiality and privacy of records.

^a Participant in the Privacy and Security Solutions project.

Source: Adapted from *Improving the Quality of Healthcare Through Health Information Exchange: Selected Findings from eHealth Initiative’s Third Annual Survey of Health Information Exchange Activities at the State, Regional and Local Levels*, eHealth Initiative, 2006; and from *2007 Enacted Legislation on Health Information Technology*, NCSL website, 2007.

Table 2-2. State Legislative Activity in Health IT, 2005–2007—Legislation Introduced But Not Passed

Alaska ^a
Hawaii
New Jersey
North Carolina ^a
Pennsylvania
Wisconsin ^a
Wyoming ^a

^a Participant in the Privacy and Security Solutions project.

Source: Adapted from *Improving the Quality of Healthcare Through Health Information Exchange: Selected Findings from eHealth Initiative’s Third Annual Survey of Health Information Exchange Activities at the State, Regional and Local Levels*, eHealth Initiative, 2006; and from *2007 Enacted Legislation on Health Information Technology*, NCSL website, 2007.

Table 2-3. State Legislative Activity in Health IT, 2005–2007—Legislation Not Introduced to Date

Mississippi ^a
South Dakota

^a Participant in the Privacy and Security Solutions project.

Source: Adapted from *Improving the Quality of Healthcare Through Health Information Exchange: Selected Findings from eHealth Initiative’s Third Annual Survey of Health Information Exchange Activities at the State, Regional and Local Levels*, eHealth Initiative, 2006; and from *2007 Enacted Legislation on Health Information Technology*, NCSL website, 2007.