



HOUSE BILL 395: HIE Deadline Extension & Patient Protection.

2021-2022 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	May 18, 2021
Introduced by:	Reps. Sasser, Potts, K. Baker, Wray	Prepared by:	Theresa Matula Committee Staff
Analysis of:	Third Edition		

OVERVIEW: *HB 395 would exempt ambulatory surgical centers from the Health Information Exchange (HIE) Network known as NC HealthConnex but require a physician who performs procedures there to be connected and to submit demographic and clinical data; extend the mandatory deadlines for certain entities to connect to the HIE Network; allow the Department of Health and Human Services to submit data on behalf of specified entities; require the HIE Authority to provide educational materials on how to access electronic health information; and require the HIE Advisory Board to submit a report by December 1, 2022 to the Joint Legislative Oversight Committee on Health and Human Services containing recommendations regarding appropriate features or actions to support the Statewide Health Information Exchange Act.*

BILL ANALYSIS: House Bill 395 would do the following:

Section 1 provides that the Department of Information Technology; Department of State Treasurer, State Health Plan Division; and the Department of Health and Human Services, Division of Health Benefits; have an affirmative duty to facilitate and support participation by covered entities in the statewide health information exchange network.

Section 2 allows the Department of Health and Human Services, if authorized by the HIE Authority, to submit data on behalf of Prepaid Health Plans and local management entities/managed care organizations (LME/MCOs). The section also extends connection deadlines as follows:

- Extends the connection deadline for most providers of Medicaid and State-funded health care services, and affiliated entities, until January 1, 2023 (currently October 1, 2021).
- Extends the connection deadline for physicians who perform procedures at ambulatory surgical centers, dentists, psychiatrists, and the State Laboratory of Public Health until January 1, 2023 (currently June 1, 2021).
- Extends the connection deadline for pharmacies and State health care facilities operated under the Secretary of the Department of Health and Human Services (State psychiatric hospitals, developmental centers, alcohol and drug treatment centers, neuro-medical treatment center, and residential programs) until January 1, 2023 (currently June 1, 2021).

Section 3 makes a conforming change in response to the January 1, 2023 deadline changes above.

Sections 2 and 4 removes ambulatory surgical centers, as defined in G.S. 131E-146, from the requirements to submit demographic and clinical data but requires a physician who performs a procedure at the ambulatory surgical center to be connected to the HIE Network and to submit the data.

Section 6 prohibits the NC Health Information Exchange Authority from fulfilling requests for electronic health information from an individual, individual's personal representative, or an individual or entity

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578

House Bill 395

Page 2

purporting to act on an individual's behalf, and requires the Authority to provide educational materials on accessing this information from other sources.

Section 7 requires the Health Information Exchange Advisory Board to submit recommendations regarding appropriate features or actions to support the Statewide Health Information Exchange Act to the Joint Legislative Oversight Committee on Health and Human Services on or before December 1, 2022.

EFFECTIVE DATE: The bill would become effective when it becomes law.