

ALASKA STATE LEGISLATURE

HOUSE HEALTH & SOCIAL SERVICES COMMITTEE



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HB 285 Version N - Sectional Analysis

Section 1 amends AS 18.23.300(a) to refine the department's mandate for establishing and implementing the statewide electronic health information exchange system. It emphasizes ensuring system interoperability and compliance with state and federal protocols for data exchange.

Section 2 (repeals and reenacts AS 18.23.300(b) regarding the designation of a qualified entity to manage system tasks.

- **Subsection (b)** requires the commissioner to designate one or more qualified entities to perform specific tasks, overseen by a body of health system stakeholders.
- **Paragraph (1)** tasks the designee with developing a statewide program to connect electronic health records to the exchange infrastructure.
 - **Subparagraphs (A)–(F)** outline responsibilities including training, participant encouragement, workflow support, stakeholder planning, evaluation, and technical assistance.
- **Paragraphs (2)–(6)** require the designee to submit an annual budget, comply with nondiscrimination and privacy laws, and provide cost-saving data to the department.

Section 3 amends AS 18.23.300(c) to allow the department and its designee to seek both public and private funds and equipment. It also clarifies the department's authority to enter into contracts and adopt necessary regulations.

Section 4 amends AS 18.23.300(d) regarding the designee's governance and composition.

- The designee may be a private for-profit or nonprofit entity under state contract.
- **Paragraph (2)** increases the number of representative individuals on the governing body from eight to nine.
- **Subparagraphs (A)–(I)** list the specific interest groups represented, including hospitals, tribal health organizations, insurers, and behavioral health providers.
- **Paragraphs (3)–(4)** adjust the number of nonvoting liaison members, including a representative for the University of Alaska and other stakeholders.

Section 5 amends AS 18.23.305 regarding department duties

- **Paragraph (1)** mandates consultation with the designee on system development.
- **Paragraph (2)** tasks the department with facilitating applications for available funding.
- **Paragraph (3)** requires the department to ensure the system becomes self-sustaining through user fees and other funding sources.

Section 6 amends AS 18.23.310 concerning the confidentiality and security of information.

- **Subsection (a)** requires the department to ensure the designee establishes privacy and security standards, including electronic audit systems.
- **Subsection (b)** limits the release of individually identifying information to specific purposes such as treatment, payment, public health, or authorized disclosures.
- **Subsection (c)** requires the designee to establish patient "opt-out" procedures and notification protocols for confidentiality violations.

Section 7 amends the definition of "system" under AS 18.23.325(3) to exclude infrastructure or software owned or managed by individual participants.

Section 8 adds a new paragraph to AS 18.23.325 defining "designee" as the entity or entities designated under subsection (b).

Section 9 provides for an immediate effective date.