

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 411

Introduced by Lathrop, 12.

Read first time January 14, 2021

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to the designated health information exchange;
- 2 to amend section 81-6,125, Revised Statutes Cumulative Supplement,
- 3 2020; to require provision of clinical information by health care
- 4 facilities and health care payors; to repeal the original section;
- 5 and to declare an emergency.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-6,125, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 81-6,125 (1) The purpose of the Population Health Information Act
4 is to designate a health information exchange to provide the data
5 infrastructure needed to assist in creating a healthier Nebraska and
6 operating the electronic health records initiative.

7 (2) The designated health information exchange shall:

8 (a) ~~(1)~~ Aggregate clinical information from health care entities
9 needed to support the operation of the medical assistance program under
10 the Medical Assistance Act;

11 (b) ~~(2)~~ Act as the designated entity for purposes of access to and
12 analysis of health data;

13 (c) ~~(3)~~ Collect and analyze data for purposes of informing the
14 Legislature, the department, health care providers, and health care
15 entities as to the cost of, access to, and quality of health care in
16 Nebraska;

17 (d) ~~(4)~~ Act as a collector and reporter of public health data for
18 registry submissions, electronic laboratory reporting, immunization
19 reporting, and syndromic surveillance from an electronic health record,
20 which does not include claims data; and

21 (e) ~~(5)~~ Enable any health care provider or health care entity to
22 access information available within the designated health information
23 exchange to evaluate and monitor care and treatment of a patient in
24 accordance with the privacy and security provisions set forth in the
25 federal Health Insurance Portability and Accountability Act of 1996,
26 Public Law 104-191.

27 (3) On or before September 30, 2021, each health care facility as
28 defined in section 71-413 shall participate in the designated health
29 information exchange through sharing of clinical information. Such
30 clinical information shall include patient health information as
31 determined by policies adopted by the Health Information Technology

1 Board. Any connection established by July 1, 2021, between a health care
2 facility and the designated health information exchange to facilitate
3 such participation shall be at no cost to the participating health care
4 facility.

5 (4) On or before September 30, 2021, each health care payor as
6 defined in section 25-21,247 shall participate in the designated health
7 information exchange through sharing of information. Such information
8 shall be determined by policies adopted by the Health Information
9 Technology Board.

10 Sec. 2. Original section 81-6,125, Revised Statutes Cumulative
11 Supplement, 2020, is repealed.

12 Sec. 3. Since an emergency exists, this act takes effect when
13 passed and approved according to law.