



221262

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/13/2010	.	
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The Committee on Health and Human Services Appropriations  
(Haridopolos) recommended the following:

**Senate Amendment (with directory and title amendments)**

Delete lines 69 - 77  
and insert:

2. Developing ~~To develop~~ a review process that ensures ~~to ensure~~ cooperative planning among agencies that collect or maintain health-related data.

3. Establishing ~~To create~~ ad hoc, issue-oriented technical workgroups as needed ~~on an as-needed basis~~ to make recommendations to the council.

Between lines 278 and 279



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13 insert:

14 (5) The agency shall develop and implement a strategy for  
15 the adoption and use of electronic health records, including the  
16 development, implementation, and use of a single statewide  
17 infrastructure necessary for an electronic health information  
18 network for ~~the~~ sharing ~~of~~ electronic health records among  
19 health care facilities, health care providers, and health  
20 insurers.

21 (a) The agency shall contract with a vendor who has  
22 expertise in designing infrastructure that exchanges health  
23 information through an integrated solution using network  
24 security engineering which secures both the network and  
25 sensitive health care information while empowering patients to  
26 have control over how their information is shared. The  
27 infrastructure must be interoperable with the established  
28 National Health Information Network using national standards and  
29 leveraging ongoing federal investments to ensure meaningful use  
30 of health information. The infrastructure must be open source,  
31 giving the highest priority to privacy, security, and  
32 interoperability with existing and future electronic patient  
33 medical records.

34 (b) The agency may develop rules to facilitate the  
35 functionality and protect the confidentiality of electronic  
36 health records. The agency shall report to the Governor, the  
37 Speaker of the House of Representatives, and the President of  
38 the Senate on legislative recommendations to protect the  
39 confidentiality of electronic health records.

40  
41 ===== DIRECTORY CLAUSE AMENDMENT =====



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42 And the directory clause is amended as follows:

43 Delete lines 268 - 269

44 and insert:

45 Section 7. Paragraph (e) of subsection (1) and subsection  
46 (5) of section 408.062, Florida Statutes, are amended to read:

47  
48 ===== T I T L E A M E N D M E N T =====

49 And the title is amended as follows:

50 Delete lines 3 - 38

51 and insert:

52 amending s. 408.05, F.S.; revising provisions relating  
53 to the duties and responsibilities of the State  
54 Consumer Health Information and Policy Advisory  
55 Council; amending s. 408.051, F.S.; defining the terms  
56 "agency" and "health information exchange  
57 participation agreement"; creating s. 408.0513, F.S.;  
58 requiring the agency to develop uniform elements of a  
59 Florida Health Information Exchange Participation  
60 Agreement for use by health care providers; requiring  
61 the agency to post the agreement on the agency's  
62 Internet website; providing for immunity from civil  
63 liability for accessing or releasing certain health  
64 records; providing that health care providers are not  
65 required to incorporate the uniform elements of the  
66 agreement; creating s. 408.0514, F.S.; requiring the  
67 agency to coordinate with regional extension centers  
68 to implement the use of electronic health records;  
69 authorizing the agency to establish guidelines for  
70 center services and state Medicaid participation and



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71 use of such services; amending s. 408.061, F.S.;  
72 deleting a reference to an administrative rule  
73 relating to certain data reported by health care  
74 facilities; amending s. 408.0611, F.S.; revising  
75 provisions relating to a clearinghouse on information  
76 on electronic prescribing; requiring the State  
77 Consumer Health Information and Policy Advisory  
78 Council or a workgroup representing electronic  
79 prescribing and other health information technology  
80 stakeholders to participate in quarterly meetings on  
81 the implementation of electronic prescribing;  
82 requiring the agency to provide a report on the  
83 agency's Internet website; amending s. 408.062, F.S.;  
84 requiring the agency to post certain information on  
85 health care expenditures on the agency's Internet  
86 website; directing the agency to contract for the  
87 development of a single statewide infrastructure for  
88 exchanging health information; amending s. 408.063,  
89 F.S.; deleting the