

HB 877

2024

1 A bill to be entitled
2 An act relating to electronic health records; amending
3 s. 408.051, F.S.; requiring certain hospitals to make
4 patient's electronic health records available through
5 a specified network directly or through a third-party
6 vendor; amending s. 408.0611, F.S.; requiring certain
7 hospitals and pharmacies to make available specified
8 information for certain purposes; providing
9 exemptions; providing rulemaking authority; amending
10 s. 408.821, F.S.; requiring certain licensees to
11 report specified information in a certain manner;
12 providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Subsections (5) and (6) of section 408.051,
17 Florida Statutes, are renumbered as subsections (6) and (7),
18 respectively, and a new subsection (5) is added to that section,
19 to read:

20 408.051 Florida Electronic Health Records Exchange Act.—

21 (5) TRUSTED EXCHANGE NETWORK.—A hospital as defined in s.
22 395.002 that maintains a certified electronic health record
23 program must make patients' electronic health records available
24 through a trusted exchange network.

25 (a) National network connectivity may be made directly or

26 | through a third-party vendor.

27 | (b) A hospital with 25 beds or fewer is exempt from this
 28 | subsection.

29 | (c) The agency shall adopt rules necessary to administer
 30 | this subsection.

31 | Section 2. Subsections (5) and (6) are added to section
 32 | 408.0611, Florida Statutes, to read:

33 | 408.0611 Electronic prescribing clearinghouse.—

34 | (5) A hospital as defined in s. 395.002 that maintains a
 35 | certified electronic health record program must make admission,
 36 | transfer, and discharge data available to the agency's Florida
 37 | Health Information Exchange service to support public health
 38 | data registries and patient care coordination.

39 | (6) Effective January 1, 2025, a community pharmacy as
 40 | defined in s. 465.003(20) (a)1. that maintains a system for
 41 | electronic prescribing, as defined in s. 408.0611(2), shall
 42 | participate in the agency's Emergency Patient Look-Up System for
 43 | the purpose of supporting declared state of emergency events.

44 | (a) An electronic pharmacy is exempt from this subsection
 45 | if or until the pharmacy's electronic prescribing vendor is
 46 | connected to the Emergency Patient Look-Up System service.

47 | (b) The agency shall adopt rules necessary to administer
 48 | this subsection.

49 | Section 3. Subsection (4) of section 408.821, Florida
 50 | Statutes, is amended to read:

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51 408.821 Emergency management planning; emergency
52 operations; inactive license.—

53 (4) (a) The agency may adopt rules relating to emergency
54 management planning, communications, and operations. Licensees
55 providing residential or inpatient services must utilize an
56 online database approved by the agency to report information to
57 the agency regarding the provider's emergency status, planning,
58 or operations.

59 (b) Licensees required to report under paragraph (a) must
60 do so in a manner, time, and frequency prescribed by the agency.

61 Section 4. This act shall take effect July 1, 2024.