

Sec. 4.18 of Session Law 2013-363

SECTION 4.18.(a) If House Bill 834, 2013 Regular Session, becomes law, G.S. 90-413.3A, as enacted by Section 14.1 of that act, reads as rewritten:

"§ 90-413.3A. Required participation in NC HIE for some providers.

- (a) The General Assembly makes the following findings:
- (1) That controlling escalating health care costs of the Medicaid program is of significant importance to the State, its taxpayers, and its Medicaid recipients.
 - (2) That the State needs timely access to claims and clinical information in order to assess performance, pinpoint medical expense trends, identify beneficiary health risks, and evaluate how the State is spending Medicaid dollars.
 - (3) That making this clinical information available through the North Carolina Health Information Exchange will improve care coordination within and across health systems, increase care quality, enable more effective population health management, reduce duplication of medical services, augment syndromic surveillance, allow more accurate measurement of care services and outcomes, increase strategic knowledge about the health of the population, and facilitate health cost-containment.

(b) ~~Notwithstanding any other provision of law, based upon the findings set forth in subsection (a) of this section, any~~Any hospital, as defined in G.S. 131E-76(c), that has an electronic health record system shall connect to the NC HIE and submit individual patient demographic and clinical data on services paid for with Medicaid ~~funds.~~funds, based upon the findings set forth in subsection (a) of this section and notwithstanding the voluntary nature of the NC HIE under G.S. 90-413.2. The NC HIE shall give the Department of Health and Human Services real-time access to data and information contained in the NC HIE."

SECTION 4.18.(b) If House Bill 834, 2013 Regular Session, becomes law, then Section 14.2 of that act reads as rewritten:

"SECTION 14.2. ~~This Part becomes effective January 1, 2014.~~ G.S. 90-413.3A, as enacted by Section 4.18(a) of this act, becomes effective upon satisfaction of both of the following conditions precedent:

- (1) The Department of Health and Human Services and the NC HIE shall execute an agreement regarding the utilization and sharing of data and information contained in the HIE Network, which shall be in a manner that complies with the Health Information Portability and Accountability Act of 1996, P.L. 104-191, as amended (HIPAA), the rules adopted under HIPAA, and any other applicable federal laws.
- (2) The Department of Health and Human Services and the NC HIE shall jointly submit a report to the Joint Legislative Oversight Committees on Information Technology and Health and Human Services on the agreement described in subdivision (1) of this subsection."