

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 5064

Chapter 261, Laws of 2005
(partial veto)

59th Legislature
2005 Regular Session

HEALTH INFORMATION INFRASTRUCTURE ADVISORY BOARD

EFFECTIVE DATE: 7/24/05

Passed by the Senate April 18, 2005
YEAS 38 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 6, 2005
YEAS 98 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved May 4, 2005, with the
exception of Section 3, which is vetoed.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5064** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 4, 2005 - 3:11 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5064

AS AMENDED BY THE HOUSE

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Thibaudeau, Deccio, Jacobsen, Parlette, Kohl-Welles, Weinstein and Keiser)

READ FIRST TIME 03/02/05.

1 AN ACT Relating to electronic medical records and health
2 information technologies; creating new sections; and providing an
3 expiration date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The Washington state health care
6 authority shall appoint a Washington health information infrastructure
7 advisory board composed of seven to twelve members.

8 (2) Membership shall include representatives of the provider
9 community, including hospitals, information technology experts, health
10 care policy experts, health plan representatives, consumers, the
11 director of the department of information services or the director's
12 designee, and the agency medical directors group.

13 (3) The authority shall appoint the chair of the advisory board.

14 (4) The members of the advisory board shall receive no
15 compensation, but shall be reimbursed for expenses under RCW 43.03.050
16 and 43.03.060.

17 NEW SECTION. **Sec. 2.** (1) The Washington state health care
18 authority, in collaboration with the advisory board, shall develop a

1 strategy for the adoption and use of electronic medical records and
2 health information technologies that are consistent with emerging
3 national standards and promote interoperability of health information
4 systems. The strategy should:

5 (a) Be informed by research into, and identification of the best
6 practices in, electronic medical records systems and health information
7 technologies, including system design, implementation, operation, and
8 evaluation;

9 (b) Be designed to encourage greater adoption of electronic medical
10 record and health information technologies among the state's health
11 care providers that reduce medical errors and enable patients to make
12 better decisions about their own health care by promoting secure access
13 to medical records online; and

14 (c) Seek to promote standards and systems that are compatible with
15 current adopters of electronic medical record systems in Washington.

16 (2) The authority, in collaboration with the advisory board, shall
17 identify obstacles to the implementation of an effective health
18 information infrastructure in the state and provide policy
19 recommendations to remove or minimize those obstacles and identify
20 state health care purchasing strategies that can provide incentives to
21 providers and organizations that adopt effective health information
22 technologies.

23 (3) The authority shall advise appropriate parties within the
24 legislature and the executive branch on issues related to the
25 development and implementation of a health information infrastructure.

26 (4) The authority, in collaboration with the advisory board, shall
27 ensure that the strategy and plan preserve the privacy and security of
28 health information, as required by state and federal law.

29 (5) As used in this section, "health information technologies"
30 means a computerized system that provides access to patients' medical
31 records in an electronic format, including e-mail communication,
32 clinical alerts and reminders, and other information technologies as
33 prescribed by the administrator.

34 ****NEW SECTION. Sec. 3. (1) The Washington state health care***
35 ***authority shall provide staff support to the advisory board. In***
36 ***addition, all agencies under the control of the governor are directed,***

1 and all other agencies are requested, to render full assistance and
2 cooperation to the advisory board.

3 (2) The authority may enter into contracts that are necessary or
4 proper to carry out this act to support the advisory board and the
5 authority in the performance of their duties. Such contracts may be
6 awarded for purposes including, but not limited to, the following:

7 (a) Assessing the existing information technology systems of health
8 care providers, state agencies, and third-party payers;

9 (b) Identifying current national trends in the development of
10 health information systems and standards;

11 (c) Determining the feasibility of integrating and connecting
12 existing systems with emerging and recommended health information
13 standards and technologies; and

14 (d) Identifying available government or private grants for the
15 study of or implementation of health information systems.

*Sec. 3 was vetoed. See message at end of chapter.

16 NEW SECTION. **Sec. 4.** The authority, in collaboration with the
17 advisory board, shall submit an interim status report on its
18 preliminary findings by December 1, 2005. A final report of findings
19 and recommendations shall be submitted by December 1, 2006.

20 NEW SECTION. **Sec. 5.** This act expires December 1, 2006.

Passed by the Senate April 18, 2005.

Passed by the House April 6, 2005.

Approved by the Governor May 4, 2005, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State May 4, 2005.

Note: Governor's explanation of partial veto is as follows:

"I am returning, without my approval as to Section 3, Substitute
Senate Bill No. 5064 entitled:

"AN ACT Relating to electronic medical records and health
information technologies."

This bill creates the Washington Health Information Advisory Board
(WHIAB), and encourages the use of health information technology to
support high quality, cost-effective health care. Section 3 of the
bill directs all agencies under the control of the Governor,
including those not involved in health related issues, to render full
assistance to the WHIAB, giving rise to an issue of governance.

For these reasons, I have vetoed Section 3 Substitute Senate Bill No.
5064.

I direct the Health Care Authority and WHIAB, however, to assess
existing information technology systems of health care providers,
state agencies, and third-party payers; identify current national
trends in the development of information technology systems &
standards; determine the feasibility of integrating and connecting

existing systems; and identify available government or private grants for the study of or implementation of health information systems. The Health Care Authority may still enter into appropriate contracts and coordinate with agencies under existing statutes.

For these reasons, I have vetoed Substitute Senate Bill No. 5064.

With the exception of Section 3, Substitute Senate Bill No. 5064 is approved."