

# HOUSE BILL REPORT

## SSB 5501

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**As Reported by House Committee On:**  
Health Care & Wellness  
Health & Human Services Appropriations

**Title:** An act relating to the secure exchange of health information.

**Brief Description:** Concerning the secure exchange of health information.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Pflug, Franklin, Parlette, Murray and Kohl-Welles).

**Brief History:**

**Committee Activity:**

Health Care & Wellness: 3/19/09, 3/26/09 [DPA];

Health & Human Services Appropriations: 4/1/09, 4/3/09 [DPA(APPH w/o HCW)].

**Brief Summary of Substitute Bill  
(As Amended by House)**

- Directs the Administrator of the Health Care Authority to designate one or more lead organizations to coordinate the development of processes, guidelines, and standards related to patient access to and control of their health records, and secure exchange of clinical data.

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### HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** Do pass as amended. Signed by 10 members: Representatives Cody, Chair; Driscoll, Vice Chair; Campbell, Clibborn, Green, Hinkle, Kelley, Moeller, Morrell and Pedersen.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Ericksen, Ranking Minority Member; Bailey and Herrera.

**Staff:** Dave Knutson (786-7146)

**Background:**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The Health Care Authority (HCA) has worked with the Health Information Infrastructure Advisory Board (HIIAB) to research and pilot a system of health record banks to promote community electronic information sharing since 2005. There are currently three pilot programs in operation. The pilot programs are intended to facilitate the secure exchange of health information when and where needed between patients and health care providers. As part of its work, the HIIAB recommended that health record banks be implemented, consumers be involved in the development of health record banking, health care providers be encouraged to adopt electronic medical records, and the state provide funding for the implementation plan.

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**Summary of Amended Bill:**

The Administrator of the HCA (Administrator) is required to designate one or more lead organizations to coordinate the development of processes, guidelines, and standards related to patient access to and control of their health records and secure exchange of clinical data.

The Administrator and the lead organization are authorized to seek federal funds, grants, donations, and gifts to implement the act. Within available funds, the Administrator will make annual reports to the Legislature beginning on December 1, 2009, on the implementation of the act. Within available funds, the Office of Financial Management will contract with an independent research organization to evaluate the act.

**Amended Bill Compared to Original Bill:**

The requirement that the Administrator adopt the guidelines, standards, and processes by rule, or submit them as proposed legislation if the lead organization fails to act is deleted. The lead organization is directed to consider the cost of implementing the guidelines, processes, and standards and to focus on the most cost-effective ones first.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) This will be a big help to health care providers by standardizing all the processes, guidelines, and standards that are required by private and public payors of health care services.

(Opposed) None.

**Persons Testifying:** Senator Keiser, prime sponsor; Peggy Quan, American Association of Retired Persons; and Tim Layton, Washington State Medical Association.

**Persons Signed In To Testify But Not Testifying:** None.

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## HOUSE COMMITTEE ON HEALTH & HUMAN SERVICES APPROPRIATIONS

**Majority Report:** Do pass as amended by Committee on Health & Human Services Appropriations and without amendment by Committee on Health Care & Wellness. Signed by 11 members: Representatives Pettigrew, Chair; Seaquist, Vice Chair; Appleton, Cody, Dickerson, Miloscia, Morrell, O'Brien, Roberts, Walsh and Wood.

**Minority Report:** Do not pass. Signed by 4 members: Representatives Schmick, Ranking Minority Member; Alexander, Assistant Ranking Minority Member; Ericksen and Johnson.

**Staff:** Chris Blake (786-7392)

### **Summary of Recommendation of Committee On Health & Human Services Appropriations Compared to Recommendation of Committee On Health Care & Wellness:**

The amended bill removes the requirement that the Health Care Authority submit an annual report on the implementation of the guidelines and standards. In addition, the requirement that the Office of Financial Management contract with an independent research organization to evaluate the implementation of the guidelines and standards is removed.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

### **Staff Summary of Public Testimony:**

(In support) This bill establishes a statewide approach to electronic medical records. This bill will develop a statewide system to support the local pilot projects currently underway. A statewide system will avoid unnecessary costs and errors. This bill will be accomplished within existing resources and through federal stimulus funds.

(Opposed) None.

**Persons Testifying:** Senator Keiser, prime sponsor.

**Persons Signed In To Testify But Not Testifying:** None.