

HB 1359 -- Health Record Banks

Sponsor: Chappelle-Nadal

This bill authorizes the Department of Social Services to select certain nonprofit organizations in the metropolitan areas of Kansas City and St. Louis to deploy and manage a regional health record bank which is responsible for maintaining the electronic medical records of individuals participating in the bank. Each regional health record bank must enable a secure, web-based infrastructure for the sharing of electronic health information among health care facilities, health care professionals, public and private payers, and patients; allow individuals to create an account to consolidate their own health information into an electronic personal health record; and allow consumers and health care providers to study defined benefits collected in the health record bank. State employees or individuals receiving health care benefits from the state can opt-out of participation in regional health record banks. The state must authorize the regional health record bank to electronically report quality measures to the state when possible.

Nonprofit organizations selected by the department to be a regional health record bank must be authorized to submit and request funds in Fiscal Year 2011 from the Secretary of the United States Department of Health and Human Services as defined in the American Recovery and Reinvestment Act of 2009, commonly known as the federal stimulus act. Each nonprofit organization must create and submit a health banking business model and propose what state appropriations should be requested in fiscal years 2012, 2013, and 2014 to qualify for the federal matching funds under the federal act.

All health records maintained by a health record bank must comply with federal Health Insurance Portability and Accountability Act (HIPAA) privacy regulations. The bill establishes the Missouri Patient Privacy Act which specifies that no personal health information of a patient which can be identified as specific to the patient will be disclosed to any employer, public or private payer, or employee or agent of a state department or agency without the written consent of the patient and health care provider; however, the information can be disclosed to a health insurer, employer, or state employee or agent in connection with the performance of the employee's official duties. No health care provider will be required to redact information when disclosing personal health information under these provisions.