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EXCHANGE OF CLINICAL HEALTH INFORMATION AMENDMENTS

2024 GENERAL SESSION STATE OF UTAH

Chief Sponsor: Dan N. Johnson

Senate Sponsor: Curtis S. Bramble

2	
3	LONG TITLE

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4 General Description:

5 This bill amends provisions related to the electronic exchange of clinical health information.

6 Highlighted Provisions:

- 7 This bill:
- 9 services data system;
- clarifies that the Bureau of Emergency Medical Services may share information
- regarding traffic safety and public safety within the Department of Public Safety;
- 12 authorizes the Department of Public Safety to share clinical health information collected
- 13 by emergency medical service providers to a qualified network;
- 14 I limits the use of clinical health information by an emergency medical service provider to
- providing and improving the emergency medical service provider's services; and
- 16 makes technical and conforming changes.

17 Money Appropriated in this Bill:

- None None
- 19 Other Special Clauses:
- This bill provides a special effective date.
- 21 Utah Code Sections Affected:
- 22 AMENDS:

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- 23 **53-2d-203**, as renumbered and amended by Laws of Utah 2023, Chapters 307, 310
- 25 Be it enacted by the Legislature of the state of Utah:
- Section 1. Section **53-2d-203** is amended to read:
- 27 **53-2d-203** . Data collection.

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28	(1) As used in this section:
29	(a) "Clinical health information" means the same as that term is defined in Section
30	<u>26B-8-411.</u>
31	(b) "Electronic exchange" means the same as that term is defined in Section 26B-8-411.
32	(c) "Emergency medical service provider" means the same as that term is defined in
33	Section 53-2d-101.
34	(d) "Emergency medical services" means the same as that term is defined in Section
35	<u>53-2d-101.</u>
36	(e) "Qualified network" means the same as that term is defined in Section 26B-8-411.
37	(2) The committee shall specify the information that shall be collected for the emergency
38	medical services data system established pursuant to Subsection $[(2)]$ (3) .
39	[(2)] (3) (a) The bureau shall establish an emergency medical services data system, which
40	shall provide for the collection, analysis, and reporting of information, as defined by
41	the committee, relating to the response, treatment, and care of patients who use or
42	have used the emergency medical services system.
43	(b) The committee shall coordinate with the Health Data Authority created in Title 26B,
44	Chapter 8, Part 5, Utah Health Data Authority, to create a report of data collected by
45	the Health Data Committee under Section 26B-8-504 regarding:
46	(i) appropriate analytical methods;
47	(ii) the total amount of air ambulance flight charges in the state for a one-year period;
48	and
49	(iii) of the total number of flights in a one-year period under Subsection [(2)(b)(ii)]
50	(3)(b)(ii):
51	(A) the number of flights for which a patient had no personal responsibility for
52	paying part of the flight charges;
53	(B) the number of flights for which a patient had personal responsibility to pay all
54	or part of the flight charges;
55	(C) the range of flight charges for which patients had personal responsibility under
56	Subsection $[(2)(b)(iii)(B)]$ $(3)(b)(iii)(B)$, including the median amount for paid
57	patient personal responsibility; and
58	(D) the name of any air ambulance provider that received a median paid amount
59	for patient responsibility in excess of the median amount for all paid patient
60	personal responsibility during the reporting year.
61	(c) The bureau may share, [with] within the department, information from the emergency

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62	medical services data system that:
63	(i) relates to traffic incidents; and
64	(ii) is for the improvement of traffic and public safety.
65	(d) Information shared under Subsection $[(2)(e)]$ $(3)(e)$ may not $[(e)]$ be used for the
66	prosecution of criminal matters[; or] .
67	[(ii) include any personally identifiable information.]
68	(e) Subject to the Health Insurance Portability and Accountability Act of 1996, Pub. L.
69	No. 104-191, 110 Stat. 1936, as amended:
70	(i) the department may submit clinical health information about a patient, to a
71	qualified network, via electronic exchange of clinical health information, if:
72	(A) the electronic exchange of clinical health information meets the standards
73	established by the department under Section 26B-8-411; and
74	(B) the clinical health information was collected by an emergency medical service
75	provider performing emergency medical services for the provider's patient;
76	(ii) in connection with providing emergency medical services to a patient, an
77	emergency medical service provider may, through electronic exchange, access the
78	patient's clinical health information that is pertinent to the emergency medical
79	services provided; and
80	(iii) an emergency medical service provider may use clinical health information only
81	to provide and improve the quality of the emergency medical service provider's
82	services.
83	[(3)] (4) (a) On or before October 1, the department shall make the information in
84	Subsection [$(2)(b)$] $(3)(b)$ public and send the information in Subsection [$(2)(b)$] $(3)(b)$
85	to public safety dispatchers and first responders in the state.
86	(b) Before making the information in Subsection $[(2)(b)]$ $(3)(b)$ public, the committee
87	shall provide the air ambulance providers named in the report with the opportunity to
88	respond to the accuracy of the information in the report under Section 26B-8-506.
89	[(4)] (5) Persons providing emergency medical services:
90	(a) shall provide information to the department for the emergency medical services data
91	system established pursuant to Subsection $[(2)(a)]$ $(3)(a)$;
92	(b) are not required to provide information to the department under Subsection $[(2)(b)]$
93	<u>(3)(b);</u> and
94	(c) may provide information to the department under Subsection $[(2)(b)]$ $(3)(b)$ or $[(3)(b)]$
95	(4)(b).

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- 96 Section 2. **Effective date.**
- 97 This bill takes effect on July 1, 2024.