

EXCHANGE OF CLINICAL HEALTH INFORMATION AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Dan N. Johnson

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- adds data analysis and reporting to the scope of functions of the emergency medical 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;
- authorizes the Department of Public Safety to share clinical health information collected by emergency medical service providers to a qualified network;
- 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
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

53-2d-203, as renumbered and amended by Laws of Utah 2023, Chapters 307, 310

Be it enacted by the Legislature of the state of Utah:

Section 1. Section 53-2d-203 is amended to read:

53-2d-203 . Data collection.

(1) As used in this section:

(a) "Clinical health information" means the same as that term is defined in Section 26B-8-411.

(b) "Electronic exchange" means the same as that term is defined in Section 26B-8-411.

(c) "Emergency medical service provider" means the same as that term is defined in Section 53-2d-101.

(d) "Emergency medical services" means the same as that term is defined in Section 53-2d-101.

(e) "Qualified network" means the same as that term is defined in Section 26B-8-411.

(2) The committee shall specify the information that shall be collected for the emergency medical services data system established pursuant to Subsection [(2)] (3).

[(2)] (3) (a) The bureau shall establish an emergency medical services data system, which shall provide for the collection, analysis, and reporting of information, as defined by the committee, relating to the response, treatment, and care of patients who use or have used the emergency medical services system.

(b) The committee shall coordinate with the Health Data Authority created in Title 26B, Chapter 8, Part 5, Utah Health Data Authority, to create a report of data collected by the Health Data Committee under Section 26B-8-504 regarding:

(i) appropriate analytical methods;

(ii) the total amount of air ambulance flight charges in the state for a one-year period; and

(iii) of the total number of flights in a one-year period under Subsection [(2)(b)(ii)] (3)(b)(ii):

(A) the number of flights for which a patient had no personal responsibility for paying part of the flight charges;

(B) the number of flights for which a patient had personal responsibility to pay all or part of the flight charges;

(C) the range of flight charges for which patients had personal responsibility under Subsection [(2)(b)(iii)(B)] (3)(b)(iii)(B), including the median amount for paid patient personal responsibility; and

(D) the name of any air ambulance provider that received a median paid amount for patient responsibility in excess of the median amount for all paid patient personal responsibility during the reporting year.

(c) The bureau may share, [~~with~~] within the department, information from the emergency

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)(c) may not~~[(i)]~~ 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 (3)(b); and

94 (c) may provide information to the department under Subsection ~~[(2)(b)]~~ (3)(b) or ~~[(3)(b)]~~
95 (4)(b).

96 Section 2. **Effective date.**

97 This bill takes effect on July 1, 2024.