



2023-2024 General Assembly

HOUSE BILL 600: Regulatory Reform Act of 2023, Sec. 31: State Ownership of Health Information Exchange Network Data

Committee:
Introduced by:
Analysis of: Sec. 31 of S.L. 2023-137

Date: December 11, 2023
Prepared by: Kyle Evans
Staff Attorney

OVERVIEW: Section 31 of S.L. 2023-137 provides that patient identifiers created by the Health Information Exchange Authority must be released to the Government Data Analytics Center and the Department of Health and Human Services, and that those identifiers are State-owned data and not public records.

This bill was vetoed by the Governor on October 2, 2023, and that veto was overridden by the General Assembly on October 10, 2023. This section became effective on October 10, 2023.

CURRENT LAW & BILL ANALYSIS:

The Statewide Health Information Exchange Act was enacted by the General Assembly to facilitate and regulate the use of a voluntary, statewide health information exchange network for the secure electronic transmission of individually identifiable health information among health care providers, consistent with federal HIPAA requirements. The Act created the Health Information Exchange Network (HIE Network), which is administered by the NC HIE Authority (Authority).

Section 31(a) provides that patient identifiers created by the Authority to integrate identity data in the HIE Network must be released to the NC Government Data Analytics Center (GDAC) and the Department of Health and Human Services for the purposes of entity resolution and master data management. This section also provides that patient identifiers are not public records.

Section 31(b) further provides that patient identifiers created and utilized by the GDAC are State-owned data and not public records, and that the GDAC can release patient identifiers to State agencies, departments, and institutions for the purposes of entity resolution and master data management. This subsection became effective December 1, 2023.

EFFECTIVE DATE: This bill was vetoed by the Governor on October 2, 2023, and that veto was overridden by the General Assembly on October 10, 2023. Except as otherwise provided, this section became effective on October 10, 2023.

Jeffrey Hudson
Director



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Legislative Analysis
Division
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