

EXCHANGE OF CLINICAL HEALTH INFORMATION

AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Dan N. Johnson

Senate Sponsor: _____

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.



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **53-2d-203 (Effective 07/01/24)**, as renumbered and amended by Laws of Utah 2023,
31 Chapters 307, 310

32

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

34 Section 1. Section **53-2d-203 (Effective 07/01/24)** is amended to read:

35 **53-2d-203 (Effective 07/01/24). Data collection.**

36 (1) As used in this section:

37 (a) "Clinical health information" means the same as that term is defined in Section
38 26B-8-411.

39 (b) "Electronic exchange" means the same as that term is defined in Section
40 26B-8-411.

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

43 (d) "Emergency medical services" means the same as that term is defined in Section
44 53-2d-101.

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

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

48 [~~(2)~~] (3) (a) The bureau shall establish an emergency medical services data system,
49 which shall provide for the collection, analysis, and reporting of information, as defined by the
50 committee, relating to the response and treatment and care of patients who use or have used the
51 emergency medical services system.

52 (b) The committee shall coordinate with the Health Data Authority created in Title
53 26B, Chapter 8, Part 5, Utah Health Data Authority, to create a report of data collected by the
54 Health Data Committee under Section 26B-8-504 regarding:

55 (i) appropriate analytical methods;

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

57 and

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

59 (3)(b)(ii):

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

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

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

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

70 (c) The bureau may share, ~~[with]~~ within the department, information from the
71 emergency medical services data system that:

72 (i) relates to traffic incidents; and

73 (ii) is for the improvement of traffic and public safety.

74 (d) Information shared under Subsection ~~[(2)(c)]~~ (3)(c) may not ~~[-(i)]~~ be used for the
75 prosecution of criminal matters~~[-or]~~.

76 ~~[(ii) include any personally identifiable information.]~~

77 (e) (i) Subject to the Health Insurance Portability and Accountability Act of 1996, Pub.
78 L. No. 104-191, 110 Stat. 1936, as amended:

79 (A) the department may submit clinical health information about a patient, to a
80 qualified network, via electronic exchange of clinical health information, if:

81 (I) the electronic exchange of clinical health information meets the standards
82 established by the department under Section 26B-8-411; and

83 (II) the clinical health information was collected by an emergency medical service
84 provider performing emergency medical services for the provider's patient;

85 (B) in connection with providing emergency medical services to a patient, an
86 emergency medical service provider may access the patient's clinical health information
87 through electronic exchange; and

88 (C) an emergency medical service provider may use clinical health information only to
89 provide and improve the quality of the emergency medical service provider's services.

90 ~~[(3)]~~ (4) (a) On or before October 1, the department shall make the information in
91 Subsection ~~[(2)(b)]~~ (3)(b) public and send the information in Subsection ~~[(2)(b)]~~ (3)(b) to
92 public safety dispatchers and first responders in the state.

93 (b) Before making the information in Subsection ~~[(2)(b)]~~ (3)(b) public, the committee
94 shall provide the air ambulance providers named in the report with the opportunity to respond
95 to the accuracy of the information in the report under Section 26B-8-506.

96 ~~[(4)]~~ (5) Persons providing emergency medical services:

97 (a) shall provide information to the department for the emergency medical services
98 data system established pursuant to Subsection ~~[(2)(a)]~~ (3)(a);

99 (b) are not required to provide information to the department under Subsection ~~[(2)(b)]~~
100 (3)(b); and

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

103 Section 2. **Effective date.**

104 This bill takes effect on July 1, 2024.