

AN ACT

relating to the sharing of information among state agencies.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 2054.096(a), Government Code, is amended to read as follows:

(a) Each agency strategic plan must be consistent with the state strategic plan and include:

(1) a statement of the state agency's goals, objectives, and programs as found in the agency's legislative appropriations request;

(2) a description of the agency's major data bases and their applications;

(3) a description of the agency's information resources management organizations, policies, and practices;

(4) a description of interagency computer networks in which the agency participates;

(5) a statement of the strategic objectives of the agency relating to information resources management for the next five fiscal years, beginning with the fiscal year during which the plan is submitted, with a description of how those objectives help achieve the agency's programs and goals, and a description of how those objectives support and promote the goals and policies of the state strategic plan;

(6) a description of any information resources

1 technology projects proposed by the agency, including:

2 (A) a statement of how the projects relate to  
3 similar projects, as identified by the department, implemented or  
4 proposed by other agencies;

5 (B) a description of any proposed plans for  
6 coordinating the projects with other agencies;

7 (C) a statement of how projects proposed or  
8 described under this subsection will provide a return on investment  
9 according to guidelines developed by the department; and

10 (D) a detailed description of the past  
11 performance of projects implemented under this subsection;

12 (7) the status of the agency's quality assurance  
13 initiatives for:

14 (A) security; and

15 (B) major information resources projects;

16 (8) a description of measures taken by the agency to  
17 comply with department rules and standards;

18 (9) a statement of how the agency has implemented any  
19 applicable data sharing standards developed under Subchapter B,  
20 Chapter 113, Health and Safety Code; and

21 (10) [~~9~~] other planning components that the  
22 department may prescribe.

23 SECTION 2. Chapter 113, Health and Safety Code, as added by  
24 Chapter 1016, Acts of the 79th Legislature, Regular Session, 2005,  
25 is amended by designating Sections 113.001 through 113.014 as  
26 Subchapter A and adding a heading for Subchapter A to read as  
27 follows:

1           SUBCHAPTER A. TEXAS HEALTH CARE POLICY COUNCIL

2           SECTION 3. Chapter 113, Health and Safety Code, as added by  
3 Chapter 1016, Acts of the 79th Legislature, Regular Session, 2005,  
4 is amended by adding Subchapter B to read as follows:

5           SUBCHAPTER B. INTERAGENCY INFORMATION SHARING PILOT PROGRAM

6           Sec. 113.051. DEFINITION. In this subchapter,  
7 "participating agency" means a state agency that provides social  
8 services, mental health services, substance abuse services, or  
9 health services.

10          Sec. 113.052. DEVELOPMENT OF INFORMATION SHARING  
11 STANDARDS; PUBLICATION. (a) The council, in consultation with the  
12 Department of Information Resources, shall develop standards for  
13 the secure sharing of information electronically among  
14 participating agencies.

15          (b) The data sharing standards developed by the council  
16 under this section must:

17           (1) require a participating agency to comply with any  
18 federal or state law relating to the security and confidentiality  
19 of the information maintained or received by the agency;

20           (2) ensure the security of personally identifiable  
21 information and the protection of personally identifiable  
22 information from inappropriate release; and

23           (3) include strategies for sharing information and  
24 procedures for transferring information.

25          (c) The Department of Information Resources shall publish  
26 the standards for data sharing on the department's Internet website  
27 and shall notify the presiding officer of each house of the

1 legislature of the publication of the data sharing standards.

2 (d) The presiding officer of the council may appoint work  
3 groups consisting of council members and representatives of  
4 participating agencies for any purpose consistent with the duties  
5 of the council under this subchapter.

6 (e) The council shall identify other state agencies with  
7 relevant expertise and related projects, and may appoint  
8 representatives of those agencies to work groups as appropriate.

9 Sec. 113.053. SHARING INFORMATION AMONG PARTICIPATING  
10 AGENCIES. In developing, procuring, and maintaining electronic and  
11 information resource systems, a participating agency shall conform  
12 to common client information interchange standards developed by the  
13 council whenever possible and practicable to allow for the secure  
14 sharing of information among participating agencies to identify and  
15 coordinate the provision of necessary services to individuals in  
16 the state, while ensuring the protection of personally identifiable  
17 information from inappropriate release.

18 Sec. 113.054. CONTINUITY OF CARE THROUGH INTERAGENCY  
19 INFORMATION SHARING. (a) The council shall coordinate the  
20 development of a system for ensuring that health care providers  
21 serving clients of state programs that provide health and social  
22 services receive information about past client encounters and  
23 client health information to support the clients' continuity of  
24 care, subject to funds appropriated for this purpose.

25 (b) The system described by Subsection (a) must comply with  
26 all state and federal medical privacy laws and regulations.

27 (c) The initial focus of the interagency information

1 sharing system described by Subsection (a) should be the continuity  
2 of care for inmates being admitted to or discharged from Texas Youth  
3 Commission facilities.

4 Sec. 113.055. EVALUATION OF INTERAGENCY INFORMATION  
5 SHARING. The council, in consultation with the Department of  
6 Information Resources, shall:

7 (1) analyze and compare how participating agencies  
8 with common clients manage and exchange information relating to  
9 those clients;

10 (2) identify and rank in order of priority  
11 opportunities to improve an individual's interaction with multiple  
12 participating agencies;

13 (3) emphasize the development of standards that  
14 facilitate data sharing without requiring a participating agency to  
15 make significant custom modifications to the agency's information  
16 system or to incur significant expense; and

17 (4) emphasize that data shared under this subchapter  
18 must comply with any federal or state law relating to  
19 confidentiality of the information maintained or received by a  
20 participating agency.

21 Sec. 113.056. USE OF DATA. Information gathered or shared  
22 under this subchapter may not be used to enforce Title 8 of the  
23 United States Code.

24 Sec. 113.057. EXPIRATION. This subchapter expires  
25 September 1, 2013.

26 SECTION 4. The Texas Health Care Policy Council shall  
27 publish the standards required by Section 113.052, Health and

1 Safety Code, as added by this Act, not later than September 1, 2008.

2 SECTION 5. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2007.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 921 was passed by the House on April 25, 2007, by the following vote: Yeas 139, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 921 on May 21, 2007, by the following vote: Yeas 141, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 921 was passed by the Senate, with amendments, on May 17, 2007, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor