

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 2097

H.P. 1490

House of Representatives, April 3, 2006

An Act To Facilitate the Maine Quality Forum

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MILLER of Somerville. (GOVERNOR'S BILL)
Cosponsored by Senator MAYO of Sagadahoc and
Representative: SIMPSON of Auburn, Senator: HOBBINS of York.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §2053, sub-§2-D** is enacted to read:

3 **2-D. Health information network.** "Health information network" means a secure
4 integrated electronic clinical health information sharing and exchange system connecting
5 health care providers that provide essential clinical health care data supporting individual
6 patients at the point of care.

7 **Sec. 2. 22 MRSA §2053, sub-§3-A**, as amended by PL 2005, c. 407, §1, is
8 further amended to read:

9 **3-A. Health care facility.** "Health care facility" means a nursing home that is, or
10 will be upon completion, licensed under chapter 405; a residential care facility that is, or
11 will be upon completion, licensed under chapter 1663; a continuing care retirement
12 community that is, or will be upon completion, licensed under Title 24-A, chapter 73; an
13 assisted living facility that is, or will be upon completion, licensed under chapter 1664; a
14 hospital; a community mental health facility; a scene response air ambulance licensed
15 under Title 32, chapter 2-B and the rules adopted thereunder; ~~or~~ a community health
16 center; or a health information network.

17 **Sec. 3. 22 MRSA §2053, sub-§3-B**, as enacted by PL 1997, c. 385, §1, is
18 amended to read:

19 **3-B. Eligible entity.** "Eligible entity" means a facility or institution eligible to
20 participate in financing or other borrowing services authorized by this chapter and
21 includes a participating health information network, a participating community health or
22 social service facility, a participating health care facility or a participating institution for
23 higher education.

24 **Sec. 4. 24-A MRSA §6907, first ¶**, as enacted by PL 2003, c. 469, Pt. A, §8, is
25 amended to read:

26 Except as provided in subsections 1 ~~and~~, 2 and 3, information obtained by Dirigo
27 Health under this chapter is a public record within the meaning of Title 1, chapter 13,
28 subchapter 1.

29 **Sec. 5. 24-A MRSA §6907, sub-§3** is enacted to read:

30 **3. Practitioner-specific quality data.** As used in this subsection, "practitioner-
31 specific quality data" means data, electronic or paper, that can be analyzed to provide
32 information describing a practitioner's performance measured against consensus best
33 practices of health care and current local and national patterns of health care. All records,
34 reports, working papers, drafts, data, interoffice and intraoffice memoranda and e-mails
35 used or maintained by the Maine Quality Forum, established in section 6951, to formulate
36 practitioner-specific quality data are confidential. Once the practitioner-specific quality
37 data are determined to be accurate and complete by the Director of the Maine Quality
38 Forum, the executive director or the board, the practitioner-specific quality data and all
39 records, reports, working papers, drafts, data, interoffice and intraoffice memoranda and
40 e-mails used or maintained by the Maine Quality Forum to formulate practitioner-specific
41 quality data must be subject to public inspection.

1

SUMMARY

2 This bill defines "health information network" and amends the Maine Health and
3 Higher Educational Facilities Authority Act to allow the Maine Health and Higher
4 Educational Facilities Authority the discretion to provide bonded capital funding for a
5 health information network that provides a mechanism for the exchange of health
6 information among health care facilities.

7 It also specifies that data acquired by the Maine Quality Forum to support
8 practitioner-specific quality data is confidential until the data's accuracy and the derived
9 information's reliability is determined to meet the Maine Quality Forum's standards.