



Sen. Heather A. Steans

Filed: 4/30/2013

09800HB1017sam001

LRB098 04914 JLS 45113 a

1 AMENDMENT TO HOUSE BILL 1017

2 AMENDMENT NO. _____. Amend House Bill 1017 on page 2 by
3 replacing lines 7 through 14 with the following:

4 "Health information exchange" or "HIE" means a health
5 information exchange or health information organization that
6 oversees and governs the electronic exchange of health
7 information that (i) is established pursuant to the Illinois
8 Health Information Exchange and Technology Act, or any
9 subsequent amendments thereto, and any administrative rules
10 promulgated thereunder; or (ii) has established a data sharing
11 arrangement with the Illinois Health Information Exchange; or
12 (iii) as of the effective date of this amendatory Act of the
13 98th General Assembly, was designated by the Illinois Health
14 Information Exchange Authority Board as a member of, or was
15 represented on, the Authority Board's Regional Health
16 Information Exchange Workgroup; provided that such designation
17 shall not require the establishment of a data sharing

1 arrangement or other participation with the Illinois Health
2 Information Exchange or the payment of any fee."; and

3 on page 3 by replacing lines 8 and 9 with the following:

4 "coordinating the care and treatment for a recipient of mental
5 health or developmental disability services. The group may be
6 composed of individuals employed by"; and

7 on page 9, line 21, by replacing "~~receiving payments from~~" with
8 "or receiving payments from"; and

9 on page 10 by replacing lines 13 and 14 with the following:

10 "another setting. No records or communications may be disclosed
11 to a county"; and

12 on page 13 by replacing lines 13 and 14 with the following:

13 "standards, or contractual obligations, which shall be binding
14 upon any HIE, as defined under Section 2, require that
15 participants of such HIE provide each recipient whose record
16 is"; and

17 on page 14 by replacing lines 18 and 19 with the following:

1 "rules, standards, or contractual obligations, which shall be
2 binding upon any HIE, as defined under Section 2, give
3 consideration to the format and content of"; and

4 on page 15 by replacing line 4 with the following:

5 "binding upon HIEs under this Section to give effect to
6 recipient"; and

7 on page 15 by replacing line 15 with the following:

8 "recipient disclosure preferences. The provisions of this
9 Section 9.6 shall not apply to the secure electronic
10 transmission of data which is point-to-point communication
11 directed by the data custodian. Any rules or standards
12 promulgated under this Section which apply to HIEs shall be
13 limited to that subject matter required by this Section and
14 shall not include any requirement that an HIE enter a data
15 sharing arrangement or otherwise participate with the Illinois
16 Health Information Exchange. In connection with its annual
17 consideration regarding the issue of segmentation of
18 information within a medical record and prior to the adoption
19 of any rules or standards regarding that issue, the Authority
20 Board shall consider information provided by affected persons
21 or organizations regarding the feasibility, availability,
22 cost, reliability, and interoperability of any technology or

1 process under consideration by the Board. Nothing in this Act
2 shall be construed to limit the authority of the Illinois
3 Health Information Exchange Authority to impose limits or
4 conditions on consent for disclosures to or through any HIE, as
5 defined under Section 2, which are more restrictive than the
6 requirements under this Act or under HIPAA."; and

7 on page 15 by replacing lines 17 through 23 with the following:

8 "Sec. 9.7. Other limitations on consent requirements. The
9 consent requirements under Section 5 may not be"; and

10 on page 16 by replacing lines 3 and 4 with the following:

11 "purposes and in accordance with this Act."; and

12 on page 17 by replacing lines 2 and 3 with the following:

13 "services necessary to support and enable the establishment
14 and"; and

15 on page 22 by replacing lines 7 and 8 with the following:

16 "requirements of the HIE."; and

17 on page 22, line 25, by replacing "or" with "or other than

1 uses, disclosures, or redisclosures permitted under Sections
2 9, 9.2, and 9.4 of this Act effected by electronic
3 transmission, or ".