



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4317

by Rep. Dwight Kay

SYNOPSIS AS INTRODUCED:

305 ILCS 5/12-4.50 new

Amends the Illinois Public Aid Code. Provides that the Department of Healthcare and Family Services shall use a cloud-based repository to store the protected health information of all persons enrolled in a medical assistance program administered by the Department. Provides that access to the repository shall be limited to State employees based in Illinois and that the Department of Healthcare and Family Services may not permit an entity located outside the United States to have access to the information stored in the cloud-based repository. Provides that a violation of this Section is a business offense punishable by a fine of \$5,000 for each incident.

LRB099 14850 KTG 39023 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by
5 adding Section 12-4.50 as follows:

6 (305 ILCS 5/12-4.50 new)

7 Sec. 12-4.50. Cloud-based repository; protected health
8 information.

9 (a) As used in this Section:

10 "Entity" means a proprietorship, partnership, association,
11 trust, estate, business trust, group, or corporation, whether
12 or not operated for profit, or a governmental agency, unit, or
13 subdivision.

14 "Protected health information" means individually
15 identifiable health information governed by the Health
16 Insurance Portability and Accountability Act (HIPAA), 42
17 U.S.C. 1320 et seq., and the regulations promulgated at 45 CFR
18 160, 162, and 164, and includes, but is not limited to, social
19 security numbers, medical records, laboratory reports, and
20 hospital bills.

21 (b) The Department of Healthcare and Family Services shall
22 use a cloud-based repository to store the protected health
23 information of all persons enrolled in a medical assistance

1 program administered by the Department. Access to the
2 repository shall be limited to State employees based in
3 Illinois. The Department of Healthcare and Family Services may
4 not permit an entity located outside the United States to have
5 access to the information stored in the cloud-based repository.
6 A violation of this Section is a business offense punishable by
7 a fine of \$5,000 for each incident.