



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

House: HHS DP 5-4-0-0

HB 2100: health information organizations; confidentiality; data.

Sponsor: Representative Cobb, LD 5

Caucus & COW

Overview

An emergency measure that allows a nonprofit health information organization (NIO), designated by the Department of Health Services (DHS) as the state's official health information exchange organization to receive, use and redisclose confidential information received for any purpose allowed by the Health Insurance Portability and Accountability Act (HIPAA).

History

Enacted in 1996, HIPAA requires the Secretary of the U.S. Department of Health and Human Services (U.S. HHS) to publicize standards for the electronic exchange, privacy and security of health information. In 2002, U.S. HHS developed the Privacy Rule to protect all individually identifiable health information, including demographic data that relates to: 1) the individual's past, present or future physical or mental health condition; 2) the provision of health care to the individual; and 3) the past, present or future payment for the provision of health care to the individual. Protected information under the Privacy Rule may be disclosed, without the individual's authorization, for the following purposes or situations: 1) to the individual; 2) treatment, payment and health care operations activities; 3) opportunity to agree or object ; 4) incident to an otherwise permitted use and disclosure; 5) public interest and benefit activities; and 6) limited data set for the purposes of research, public health or health care operations ([U.S. HHS](#)).

Statute defines a *Health Information Organization* as an organization that oversees and governs the exchange of individually identifiable health information among organizations according to nationally recognized standards ([A.R.S. § 36-3801](#)).

Provisions

1. Permits a NIO, designated by DHS as the state's official health information exchange organization to receive, use and redisclose the received confidential information for any purpose allowed by HIPAA, regardless of whether the information is being maintained by or for a covered entity or business associate as defined by federal law. (Sec. 1)
2. Allows a state, county or local health department or officer to disclose communicable disease related information made to the state's official NIO, as designated by DHS, to receive, use and redisclose the communicable disease related information for any purpose allowed by HIPAA, regardless of whether the information is being maintained by or for a covered entity or business associate. (Sec. 2)
3. Contains an emergency clause. (Sec. 3)
4. Makes technical changes. (Sec. 1, 2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input checked="" type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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