

3/17/2015 – RJL Suggested Edits

1 An act relating to health care reform priorities

2 It is hereby enacted by the General Assembly of the State of Vermont:

3 * * * Cost Containment Measures * * *

4 **Replace Sec. 1-3 with:**

5 Sec. 1. ALL-PAYER MODEL; SCOPE

6 The Secretary of Administration or designee and the Green Mountain Care
7 Board shall concurrently explore an all-payer model, which may be achieved
8 through a waiver from the Centers for Medicare and Medicaid Services. The
9 Secretary or designee and the Board shall consider a model that includes
10 payment for a broad array of health care services; a model applicable to
11 hospitals only; and a model that enables the State to establish global hospital
12 budgets for each hospital licensed in this State.

13 **Modify Sec. 7:**

14 Sec. 7. 18 V.S.A. § 9375(b) is amended to read:

15 (b) The Board shall have the following duties:

16 * * *

17 (2)(A) Review and approve Vermont's statewide Health Information
18 Technology Plan pursuant to section 9351 of this title to ensure that the
19 necessary infrastructure is in place to enable the State to achieve the principles
20 expressed in section 9371 of this title. **The Board shall consult with and shall**

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1 consider any recommendations regarding the Plan received from the
2 Vermont Information Technology Leaders, Inc. (VITL) in performing this
3 review.

4 (B) Review and approve the criteria required for health care
5 providers and health care facilities to create or maintain connectivity to the
6 State’s health information exchange as set forth in section 9352 of this title.

7 Within 90 days of this approval, the Board shall issue an order explaining
8 its decision.

9 (C) Annually review ~~and approve~~ the budget and all activities of
10 VITL and approve the budget, consistent with available funds, and the
11 core activities associated with public funding ~~and of the Vermont~~
12 Information Technology Leaders, Inc., which shall include establishing the
13 interconnectivity of electronic medical records held by health care
14 professionals ~~and health care systems~~ and the storage, management, and
15 exchange of data received from such health care professionals, for the
16 purpose of improving the quality and ~~efficiently providing~~ health care
17 provided to Vermonters. This review shall take into account Vermont
18 Information Technology Leaders’ responsibilities in 18 V.S. A. s. 9352 and
19 the availability of funds needed to support those responsibilities. ~~and shall~~
20 be conducted according to a process established by the Board by rule
21 pursuant to 3 V.S.A. chapter 25.

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Sec. 8. 18 V.S.A. § 9352 is amended to read:

ADD NEW LANGUAGE:

(a)(1) Governance. The General Assembly and the Governor shall each appoint one representative to the Vermont Information Technology Leaders, Inc. (VITL) Board of Directors shall consist of no fewer than nine nor more than 14 members. The term of each member shall be two years, except that of the members first appointed, approximately one-half shall serve a term of one year and approximately one-half shall serve a term of two years, and members shall continue to hold office until their successors have been duly appointed. The Board of Directors shall comprise the following:

(A) one member of the General Assembly, appointed jointly by the Speaker of the House and the President Pro Tempore of the Senate, who shall be entitled to the same per diem compensation and expense reimbursement pursuant to 2 V.S.A. § 406 as provided for attendance at sessions of the General Assembly; (B) one individual appointed by the

Governor;

(C) one representative of the business community;

(D) one representative of health care consumers;

(E) one representative of Vermont hospitals;

(F) one representative of Vermont physicians;

(G) one practicing clinician licensed to practice medicine in Vermont;

(H) one representative of a health insurer licensed to do business in Vermont;

(I) the President of VITL, who shall be an ex officio, nonvoting member;

(J) two individuals familiar with health information technology, at least one of whom shall be the chief technology officer for a health care provider; and

(K) two at-large members.

(2) Except for the members appointed pursuant to subdivisions (1)(A) and (B) of this subsection, whenever a vacancy on the Board occurs, the members of the Board of Directors then serving shall appoint a new member who shall meet the same criteria as the member he or she replaces.

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1 (c)(1) Health information exchange operation. VITL shall be designated in
2 the Health Information Technology Plan pursuant to section 9351 of this title
3 to operate the exclusive statewide health information exchange network for
4 this State. ~~The~~ After the Green Mountain Care Board approves VITL's core
5 activities and budget pursuant to chapter 220 of this title, the Secretary of
6 Administration or designee shall enter into ~~procurement~~ grant agreements
7 with VITL pursuant to 8 V.S.A. § 4089k. Nothing in this chapter shall impede
8 local community providers from the exchange of electronic medical data.

9 (2) Notwithstanding any provision of 3 V.S.A. § 2222 or 2283b to the
10 contrary, upon request of the Secretary of Administration, the Department of
11 Information and Innovation shall review VITL's technology for security,
12 privacy, and interoperability with State government information
13 technology consistent with the state's health information technology plan
14 required by 18 V.S.A. 9351.

* * *

16 (f) Funding authorization. VITL is authorized to seek matching funds to
17 assist with carrying out the purposes of this section. In addition, it may accept
18 any and all donations, gifts, and grants of money, equipment, supplies,
19 materials, and services from the federal or any local government, or any
20 agency thereof, and from any person, firm, foundation, or corporation for any
21 of its purposes and functions under this section and may receive and use the

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1 same, subject to the terms, conditions, and regulations governing such
2 donations, gifts, and grants. VITL shall not use any State funds for
3 advertising, marketing, or similar services.

4 * * *

5 **Add Repeal of HIT Fund Sunset (Jennifer Carbee has the language)**