

---

This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Council without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

---

**Act No. 187 (H.901). Health; health information technology; health information exchange; Department of Vermont Health Access; Vermont Information Technology Leaders, Inc.**

**An act relating to health information technology and health information exchange**

This act requires the Department of Vermont Health Access (DVHA) and the Vermont Information Technology Leaders, Inc. (VITL) to submit several reports to legislative committees of jurisdiction and the Green Mountain Care Board before the 2019 legislative session. By May 1, 2018, DVHA and VITL must have provided a work plan detailing the process by which they will implement recommendations from a health information technology report submitted to the General Assembly in November 2017 (Act 73 report). By September 1, 2018, DVHA and VITL must provide a contingency plan for health information technology that can be used if they are unable to implement the Act 73 report recommendations. By October 15, 2018, DVHA must provide the results of an independent evaluation of DVHA's and VITL's work plan, contingency plan, and progress toward implementing the Act 73 report recommendations. Every two months between May 2018 and January 2019, DVHA and VITL must provide written updates on their progress toward implementing the recommendations. The act also requires DVHA and VITL to provide testimony on their progress toward implementing the Act 73 report recommendations at meetings of the Health Reform Oversight Committee and the Joint Information Technology Oversight Committee at least once every two months.

The act shifts responsibility over Vermont's Health Information Technology Plan from the Agency of Administration to DVHA and modifies the membership of VITL's Board of Directors. It extends the health information technology portion of the health care claims tax for an additional year, through July 1, 2019. It expresses legislative intent to eliminate VITL's statutory designation to operate Vermont's statewide health information exchange network if the Act 73 recommendations are not successfully implemented in a thorough and timely manner.

The act requires DVHA, in consultation with interested stakeholders, to provide recommendations to legislative committees of jurisdiction by January 15, 2019 regarding the consent policy for the exchange of health care information through the Vermont Health Information Exchange and ways to improve the

utility and interoperability of electronic health records and health information exchange in Vermont. The act also establishes the Joint Information Technology Oversight Committee, a six-member legislative committee that will oversee investments in and use of information technology in Vermont when the General Assembly is not in session.

Effective Date: May 28, 2018