

1 H.796

2 Introduced by Representatives Rogers of Waterville, Christensen of

3 Weathersfield, Cordes of Lincoln, Donahue of Northfield,

4 Durfee of Shaftsbury, and Smith of Derby

5 Referred to Committee on

6 Date:

7 Subject: Health; medical data; electronic health records; Agency of Human

8 Services

9 Statement of purpose of bill as introduced: This bill proposes to direct the

10 Agency of Human Services to develop recommendations regarding the

11 ownership of medical data in electronic health records and to report those

12 recommendations to the General Assembly.

13 An act relating to recommendations regarding ownership of medical data in
14 electronic health records

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

16 Sec. 1. OWNERSHIP OF MEDICAL DATA IN ELECTRONIC HEALTH

17 RECORDS; REPORT

18 (a) The Agency of Human Service shall develop recommendations

19 regarding the ownership of medical data in electronic health records. The

20 Agency shall consider:

1 (1) any federal laws applicable to the ownership of medical records or of
2 medical data in electronic health records and the extent to which those federal
3 laws permit states to legislate in this area;

4 (2) which current Vermont laws, if any, relate to the ownership of
5 medical records or of medical data in electronic health records; if there are
6 none, what that means about the current state of the law in Vermont on this
7 topic;

8 (3) options for future legislation clarifying ownership of medical data in
9 electronic health records, and the positive and negative implications of each
10 option; and

11 (4) such other issues on the topics of ownership of medical records,
12 medical data, and electronic health records as the Agency deems appropriate.

13 (b) On or before December 1, 2020, the Agency of Human Services shall
14 report its findings and recommendations for legislative action to the House
15 Committees on Health Care and on Judiciary and the Senate Committees on
16 Health and Welfare and on Judiciary.

17 Sec. 2. EFFECTIVE DATE

18 This act shall take effect on passage.