

Date: (Filing No. H-)

HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 386, L.D. 541, “An Act To Improve Health Care Data Analysis”

Amend the bill in Part A by inserting after section 2 the following:

'Sec. A-3. 22 MRSA §1406-A is enacted to read:

§1406-A. Reporting data to the Maine Health Data Organization

The department shall report data from the cancer-incidence registry established pursuant to section 1404, including personally identifying medical or protected health information, to the Maine Health Data Organization in accordance with the joint rule adopted pursuant to section 8715-A. The data reported must be assigned a Maine Health Data Organization identifier and integrated with other Maine Health Data Organization data. The data reported may be released only in accordance with the rule adopted by the Maine Health Data Organization on release of data to the public pursuant to section 8707.

Sec. A-4. 22 MRSA §2706, sub-§2-A is enacted to read:

2-A. Reporting data to the Maine Health Data Organization. The state registrar shall report data related to the registration of vital statistics, including personally identifying medical or protected health information, to the Maine Health Data Organization in accordance with the joint rule adopted pursuant to section 8715-A. The data reported must be assigned a Maine Health Data Organization identifier and integrated with other Maine Health Data Organization data. The data reported may be released only in accordance with the rule adopted by the Maine Health Data Organization on release of data to the public pursuant to section 8707.'

Amend the bill in Part A by striking out all of section 7 and inserting the following:

'Sec. A-7. 22 MRSA §8715-A is enacted to read:

§8715-A. Reporting of cancer data and vital statistics data

1. Reporting; joint rule-making authority. The organization and the Department of Health and Human Services may adopt a joint rule to require the reporting to the

1 organization of data from the cancer-incidence registry established pursuant to section 1404
2 and data related to the registration of vital statistics pursuant to section 2701. The rule
3 adopted pursuant to this section is a routine technical rule as described in Title 5, chapter
4 375, subchapter 2-A.

5 **2. Confidentiality of data reported.** Data reported to the organization in accordance
6 with subsection 1 is the organization's data and must be protected by privacy and security
7 measures consistent with health care industry standards. The data is confidential and may
8 be released only in accordance with the organization's rule on release of data to the public
9 adopted pursuant to section 8707. Any such cancer data or vital statistics data may be
10 released only in accordance with the organization's rule adopted after the effective date of
11 this subsection.'

12 Amend the bill in Part A in section 8 in §8718 by striking out all of subsection 3 (page
13 3, lines 7 to 10 in L.D.) and inserting the following:

14 **'3. Terms.** Except for Legislators, members of the advisory committee appointed by
15 the board serve 5-year terms except for initial appointments. Initial appointments must
16 include one member appointed to a 3-year term, 2 members appointed to 4-year terms and
17 3 members appointed to 5-year terms. A member may not serve more than 2 consecutive
18 terms. The terms of Legislators serving as members of the advisory committee coincide
19 with their legislative term of office.'

20 Amend the bill in Part A in section 8 in §8718 by striking out all of subsection 4 (page
21 3, lines 11 and 12 in L.D.) and inserting the following:

22 **'4. Compensation.** Except for Legislators, members of the advisory committee are
23 eligible for compensation according to the provisions of Title 5, chapter 379.'

24 Amend the bill in Part A by inserting after section 8 the following:

25 **'Sec. A-9. Appropriations and allocations.** The following appropriations and
26 allocations are made.

27 **LEGISLATURE**

28 **Legislature 0081**

29 Initiative: Appropriates funds for the ongoing costs of Legislator participation on the Maine
30 Health Data Organization Health Information Advisory Committee.

| | | | |
|----|---------------------------|----------------|----------------|
| 31 | GENERAL FUND | 2021-22 | 2022-23 |
| 32 | Personal Services | \$220 | \$220 |
| 33 | All Other | \$560 | \$560 |
| 34 | | | |
| 35 | GENERAL FUND TOTAL | <u>\$780</u> | <u>\$780</u> |

36 '

37 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
38 number to read consecutively.

39 **SUMMARY**

40 This amendment adds language clarifying the authority of the Department of Health
41 and Human Services to report cancer-incidence registry data and vital statistics data to the

COMMITTEE AMENDMENT

1 Maine Health Data Organization. The amendment provides authorization for the Maine
2 Health Data Organization and the Department of Health and Human Services to jointly
3 adopt a rule with respect to reporting this data to the Maine Health Data Organization and
4 designates the data as confidential. The data may be released to the public only in
5 accordance with the Maine Health Data Organization's rule governing release of data to the
6 public.

7 The amendment also makes technical changes to clarify the terms and compensation
8 of Legislators serving on the advisory committee established in the bill and adds an
9 appropriations and allocations section for the costs of Legislator participation.

10 **FISCAL NOTE REQUIRED**
11 **(See attached)**