

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Facilitate the Maine Quality Forum**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 22 MRSA §2053, sub-§2-D** is enacted to read:

**2-D. Health information network.** "Health information network" means a secure integrated electronic clinical health information sharing and exchange system connecting health care providers that provide essential clinical health care data supporting individual patients at the point of care.

**Sec. 2. 22 MRSA §2053, sub-§3-A,** as amended by PL 2005, c. 407, §1, is further amended to read:

**3-A. Health care facility.** "Health care facility" means a nursing home that is, or will be upon completion, licensed under chapter 405; a residential care facility that is, or will be upon completion, licensed under chapter 1663; a continuing care retirement community that is, or will be upon completion, licensed under Title 24-A, chapter 73; an assisted living facility that is, or will be upon completion, licensed under chapter 1664; a hospital; a community mental health facility; a scene response air ambulance licensed under Title 32, chapter 2-B and the rules adopted thereunder; or a community health center; or a health information network.

**Sec. 3. 22 MRSA §2053, sub-§3-B,** as enacted by PL 1997, c. 385, §1, is amended to read:

**3-B. Eligible entity.** "Eligible entity" means a facility or institution eligible to participate in financing or other borrowing services authorized by this chapter and includes a participating health information network, a participating community health or social service facility, a participating health care facility or a participating institution for higher education.

**Sec. 4. 24-A MRSA §6907, first ¶,** as enacted by PL 2003, c. 469, Pt. A, §8, is amended to read:

Except as provided in subsections 1 and 2 and 3, information obtained by Dirigo Health under this chapter is a public record within the meaning of Title 1, chapter 13, subchapter 1.

**Sec. 5. 24-A MRSA §6907, sub-§3** is enacted to read:

**3. Practitioner-specific quality data.** As used in this subsection, "practitioner-specific quality data" means data, electronic or paper, that can be analyzed to provide information describing a practitioner's performance measured against consensus best practices of health care and current local and national patterns of health care. All records, reports, working papers, drafts, data, interoffice and intraoffice memoranda and e-mails used or maintained by the Maine Quality Forum, established in section 6951, to formulate practitioner-specific quality data are confidential. Once the practitioner-specific quality data are determined to be accurate and complete by the Director of the Maine Quality Forum, the executive director or the board, the practitioner-specific quality data and all records, reports, working papers, drafts, data, interoffice and intraoffice memoranda and e-mails used or maintained by the Maine Quality Forum to formulate practitioner-specific quality data must be subject to public inspection.

## **SUMMARY**

This bill defines "health information network" and amends the Maine Health and Higher Educational Facilities Authority Act to allow the Maine Health and Higher Educational Facilities Authority the discretion to provide bonded capital funding for a health information network that provides a mechanism for the exchange of health information among health care facilities.

It also specifies that data acquired by the Maine Quality Forum to support practitioner-specific quality data is confidential until the data's accuracy and the derived information's reliability is determined to meet the Maine Quality Forum's standards.