

# HOUSE BILL No. 6304

July 1, 2010, Introduced by Rep. Mayes and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding section 2510.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 2510. (1) ON OR BEFORE THE EXPIRATION OF 1 YEAR AFTER THE  
2 EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT SHALL CREATE,  
3 ADMINISTER, AND MAINTAIN A SECURE, PAPERLESS, ELECTRONIC MEDICAL  
4 RECORDS SYSTEM FOR USE IN STATE MEDICAL FACILITIES. IN CREATING,  
5 ADMINISTERING, AND MAINTAINING THE SECURE, PAPERLESS, ELECTRONIC  
6 MEDICAL RECORDS SYSTEM UNDER THIS SECTION, THE DEPARTMENT SHALL DO  
7 ALL OF THE FOLLOWING:

1 (A) UTILIZE OPEN-SOURCE SOFTWARE INITIALLY CREATED BY THE  
2 UNITED STATES DEPARTMENT OF VETERANS AFFAIRS, UNLESS A MORE  
3 EFFICIENT AND COST-EFFECTIVE SOFTWARE IS AVAILABLE FOR THIS  
4 PURPOSE, AS DETERMINED BY THE DEPARTMENT.

5 (B) CONSULT WITH THE HEALTH INFORMATION TECHNOLOGY COMMISSION;  
6 THE DEPARTMENT OF HUMAN SERVICES; THE DEPARTMENT OF TECHNOLOGY,  
7 MANAGEMENT, AND BUDGET; THE DEPARTMENT OF CORRECTIONS; AND ANY  
8 OTHER PUBLIC OR PRIVATE ENTITY, ORGANIZATION, ASSOCIATION, OR  
9 PERSON THE DEPARTMENT CONSIDERS APPROPRIATE.

10 (2) THE SECURE, PAPERLESS, ELECTRONIC MEDICAL RECORDS SYSTEM  
11 CREATED UNDER THIS SECTION SHALL BE DESIGNED INITIALLY FOR CLINICAL  
12 PURPOSES AND MAY INCLUDE BILLING FUNCTIONS. IF NOT INCLUDED IN THE  
13 INITIAL DESIGN UNDER THIS SECTION, THE DEPARTMENT SHALL INCLUDE  
14 BILLING FUNCTIONS IN THE SECURE, PAPERLESS, ELECTRONIC MEDICAL  
15 RECORDS SYSTEM ON OR BEFORE THE EXPIRATION OF 2 YEARS AFTER THE  
16 EFFECTIVE DATE OF THIS SECTION.

17 (3) UPON CREATION OF THE SYSTEM, BUT NO LATER THAN 1 YEAR  
18 AFTER THE EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT SHALL  
19 NOTIFY ALL STATE MEDICAL FACILITIES THAT THE SECURE, PAPERLESS,  
20 ELECTRONIC MEDICAL RECORDS SYSTEM HAS BEEN CREATED AND IS AVAILABLE  
21 FOR USE. UPON NOTIFICATION BY THE DEPARTMENT UNDER THIS SECTION, A  
22 STATE MEDICAL FACILITY SHALL UTILIZE THE SECURE, PAPERLESS,  
23 ELECTRONIC MEDICAL RECORDS SYSTEM.

24 (4) ON OR BEFORE THE EXPIRATION OF 6 MONTHS AFTER THE  
25 NOTIFICATION IS MADE UNDER SUBSECTION (3), THE DEPARTMENT SHALL  
26 MAKE THE SECURE, PAPERLESS, ELECTRONIC MEDICAL RECORDS SYSTEM  
27 CREATED UNDER THIS SECTION AVAILABLE FOR USE BY A HEALTH FACILITY

1 OR AGENCY IN THIS STATE OR A HEALTH PROFESSIONAL OR GROUP OF HEALTH  
2 PROFESSIONALS IN THIS STATE.

3 (5) AS USED IN THIS SECTION:

4 (A) "HEALTH FACILITY OR AGENCY" MEANS THAT TERM AS DEFINED IN  
5 SECTION 20106.

6 (B) "HEALTH PROFESSIONAL" MEANS AN INDIVIDUAL LICENSED,  
7 CERTIFIED, OR AUTHORIZED TO ENGAGE IN A HEALTH PROFESSION UNDER  
8 ARTICLE 15.

9 (C) "STATE MEDICAL FACILITY" MEANS A HOSPITAL, FACILITY,  
10 CENTER, OR PROGRAM THAT PROVIDES MEDICAL OR MENTAL HEALTH SERVICES  
11 AND THAT IS OWNED OR OPERATED BY THIS STATE.