

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

*As Engrossed: S3/4/13*

# A Bill

SENATE BILL 516

5 By: Senator J. Woods  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO THE OFFICE OF  
9 HEALTH INFORMATION TECHNOLOGY FOR ELECTRONIC RECORDS  
10 MANAGEMENT; AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13 AN ACT FOR THE OFFICE OF HEALTH  
14 INFORMATION TECHNOLOGY GENERAL  
15 IMPROVEMENT APPROPRIATION.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. APPROPRIATION - ELECTRONIC RECORDS MANAGEMENT. There is  
22 hereby appropriated, to the Office of Health Information Technology, to be  
23 payable from the General Improvement Fund or its successor fund or fund  
24 accounts, for grants for increasing the adoption of electronic health records  
25 to improve patient care and outcomes, reducing the cost of care to patient  
26 and state, and improving the efficiency of the health information exchange  
27 for the fiscal year ending June 30, 2014, the sum of.....\$10,000,000.  
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29 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

### RESTRICTIONS.

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32 (a) No grant may be awarded nor obligations otherwise incurred in relation to  
33 the project or projects described herein to any entity unless the entity  
34 meets the following requirements:

35 (1) The entity is based in the state of Arkansas

36 (2) The entity has been in operation for at least 10 years



1                   (3) The entity is certified for Meaningful Use by the  
2                   Certification Commission for Health Information Technology (CCHIT)

3                   (4) The entity is capable of transmitting medical images  
4                   electronically and in a manner that is compliant with the Health Insurance  
5                   Portability and Accountability Act (HIPPA) Act of 1996 and Health Information  
6                   Technology for Economic and Clinical Health (HITECH) Act of 2009

7                   (5) The entity offers continuing education *collaboration and*  
8                   *referrals*

9                   (6) The entity offers HIPPA compliant conferencing.

10                  (b) Funding for this appropriation shall be awarded and disbursed no later  
11                  than sixty (60) days after the funds are released to the Office of Health  
12                  Information Technology for the purposes state herein.

13                  The provisions of this section shall be in effect only from July 1,  
14                  2013 through June 30, 2014.

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16                  SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
17                  obligations otherwise incurred in relation to the project or projects  
18                  described herein in excess of the State Treasury funds actually available  
19                  therefor as provided by law. Provided, however, that institutions and  
20                  agencies listed herein shall have the authority to accept and use grants and  
21                  donations including Federal funds, and to use its unobligated cash income or  
22                  funds, or both available to it, for the purpose of supplementing the State  
23                  Treasury funds for financing the entire costs of the project or projects  
24                  enumerated herein. Provided further, that the appropriations and funds  
25                  otherwise provided by the General Assembly for Maintenance and General  
26                  Operations of the agency or institutions receiving appropriation herein shall  
27                  not be used for any of the purposes as appropriated in this act.

28                  (B) The restrictions of any applicable provisions of the State Purchasing  
29                  Law, the General Accounting and Budgetary Procedures Law, the Revenue  
30                  Stabilization Law and any other applicable fiscal control laws of this State  
31                  and regulations promulgated by the Department of Finance and Administration,  
32                  as authorized by law, shall be strictly complied with in disbursement of any  
33                  funds provided by this act unless specifically provided otherwise by law.

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35                  SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
36                  Assembly that any funds disbursed under the authority of the appropriations

1 contained in this act shall be in compliance with the stated reasons for  
2 which this act was adopted, as evidenced by the Agency Requests, Executive  
3 Recommendations and Legislative Recommendations contained in the budget  
4 manuals prepared by the Department of Finance and Administration, letters, or  
5 summarized oral testimony in the official minutes of the Arkansas Legislative  
6 Council or Joint Budget Committee which relate to its passage and adoption.  
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8 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
9 Assembly, that the Constitution of the State of Arkansas prohibits the  
10 appropriation of funds for more than a one (1) year period; that the  
11 effectiveness of this Act on July 1, 2013 is essential to the operation of  
12 the agency for which the appropriations in this Act are provided, and that in  
13 the event of an extension of the legislative session, the delay in the  
14 effective date of this Act beyond July 1, 2013 could work irreparable harm  
15 upon the proper administration and provision of essential governmental  
16 programs. Therefore, an emergency is hereby declared to exist and this Act  
17 being necessary for the immediate preservation of the public peace, health  
18 and safety shall be in full force and effect from and after July 1, 2013.  
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20 /s/J. Woods  
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