

Senate File 97 - Introduced

SENATE FILE 97

BY HANCOCK

A BILL FOR

1 An Act providing for expanded Iowa communications network
2 access to include counties under specified circumstances.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8D.2, subsection 5, paragraph a, Code
2 2011, is amended to read as follows:

3 a. "Public agency" means a state agency, an institution
4 under the control of the board of regents, the judicial
5 branch as provided in section 8D.13, subsection 16, a school
6 corporation, a county as provided in section 8D.13, subsection
7 15, a city library, a library service area as provided in
8 chapter 256, a county library as provided in chapter 336,
9 or a judicial district department of correctional services
10 established in section 905.2, to the extent provided in section
11 8D.13, subsection 14, an agency of the federal government, or a
12 United States post office which receives a federal grant for
13 pilot and demonstration projects.

14 Sec. 2. Section 8D.3, subsection 3, paragraph i, Code 2011,
15 is amended to read as follows:

16 i. Evaluate existing and projected rates for use of the
17 system and ensure that rates are sufficient to pay for the
18 operation of the system excluding the cost of construction and
19 lease costs for Parts I, II, and III. The commission shall
20 establish all hourly rates to be charged to all authorized
21 users for the use of the network and shall consider all costs
22 of the network in establishing the rates. A fee established by
23 the commission to be charged to a hospital licensed pursuant
24 to chapter 135B, a physician clinic, a county, or the federal
25 government shall be at an appropriate rate so that, at a
26 minimum, there is no state subsidy related to the costs of the
27 connection or use of the network related to such user.

28 Sec. 3. Section 8D.13, subsection 2, paragraph c, Code 2011,
29 is amended to read as follows:

30 c. "Part III" means the communications connection between
31 the secondary switching centers and the agencies defined in
32 section 8D.2, subsections 4 and 5, excluding state agencies,
33 institutions under the control of the board of regents,
34 nonprofit institutions of higher education eligible for tuition
35 grants, and the judicial branch, judicial district departments

1 of correctional services, hospitals and physician clinics,
2 counties, agencies of the federal government, and post offices.

3 Sec. 4. Section 8D.13, subsection 15, Code 2011, is amended
4 to read as follows:

5 15. Access shall be offered to hospitals licensed pursuant
6 to chapter 135B and physician clinics for diagnostic, clinical,
7 consultative, data, and educational services for the purpose of
8 developing a comprehensive, statewide telemedicine
9 network~~;~~ to an agency of the federal government; to a county
10 strictly for purposes of transmitting information subject to
11 the confidentiality or privacy of personal information or
12 medical record provisions of the federal Health Insurance
13 Portability and Accountability Act of 1996, Pub. L. No.
14 104-191; and to a post office defined as a public agency
15 pursuant to section 8D.2, subsection 5. A hospital, physician
16 clinic, an agency of the federal government, a county, or a
17 post office defined as a public agency pursuant to section
18 8D.2, subsection 5, shall be responsible for all costs
19 associated with becoming a part of the network.

20

EXPLANATION

21 This bill expands the definition of a "public agency",
22 which is authorized to access the Iowa communications network,
23 to include counties under specified circumstances. The
24 bill provides that a county may access the network strictly
25 for purposes of transmitting information subject to the
26 confidentiality or privacy of personal information or medical
27 record provisions of the federal Health Insurance Portability
28 and Accountability Act of 1996. The bill provides that
29 counties shall be responsible for all costs associated with
30 becoming a part of the network.