

**House File 2438 - Introduced**

HOUSE FILE 2438  
BY COMMITTEE ON HUMAN  
RESOURCES

(SUCCESSOR TO HF 2262)

**A BILL FOR**

1 An Act relating to health data including the collection and  
2 use of hospital data and including effective date and  
3 retroactive applicability provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 135.166, subsection 1, paragraph a, Code  
2 2020, is amended to read as follows:

3 a. The department of public health shall enter into a  
4 memorandum of understanding with the contractor selected  
5 through a request for proposals process to act as the  
6 department's intermediary in collecting, maintaining, and  
7 disseminating hospital inpatient, outpatient, and ambulatory  
8 data, as initially authorized in 1996 Iowa Acts, ch. 1212, §5,  
9 subsection 1, paragraph "a", subparagraph (4), and 641 IAC  
10 177.3. The request for proposals shall prohibit the contractor  
11 from charging a hospital a fee for access to or submission of  
12 the data collected from a hospital in the state.

13 Sec. 2. 2019 Iowa Acts, chapter 85, section 97, is amended  
14 to read as follows:

15 SEC. 97. REQUEST FOR PROPOSALS PROCESS — TRANSITION. The  
16 department of public health shall continue the memorandum of  
17 understanding with the entity acting as intermediary on June  
18 30, 2019, pursuant to [section 135.166](#), until the contractor  
19 selected through a request for proposals process assumes the  
20 duties of intermediary on ~~January~~ July 1, 2021, as specified  
21 under this division of this Act. The request for proposals  
22 shall be issued by July 1, 2020, and a contract shall be  
23 executed with the contractor selected by October 1, 2020.

24 Sec. 3. HEALTH DATA WORK GROUP — ESTABLISHED — MEMBERSHIP  
25 — DUTIES — REPORTS. A health data work group is established  
26 to evaluate the health data needs of the state. In addition  
27 to the members of the data sharing and use work group of  
28 the Iowa health care innovation and visioning roundtable  
29 established in 2017, the membership of the work group shall  
30 include a member of the rural Iowa community health alliance  
31 representing a critical access hospital and a representative of  
32 a rural prospective payment system hospital. The work group  
33 shall continue the work of the roundtable by implementing and  
34 building on the real time healthcare information strategy, the  
35 data privacy strategy, and the oversight strategy recommended

1 by the data sharing and use work group of the roundtable as  
2 submitted in September 2018, and the data steering committee  
3 update and recommendations submitted in June 2019, relating  
4 to the governance model for and the functionality of the Iowa  
5 health information network. The work group shall submit an  
6 initial report to the governor and the general assembly by June  
7 1, 2020, and periodic progress reports on the implementation  
8 of recommendations, measures, and milestones of success, and  
9 any future actions thereafter.

10 Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate  
11 importance, takes effect upon enactment.

12 Sec. 5. APPLICABILITY. The following apply retroactively  
13 to July 1, 2019:

14 1. The section of this Act amending section 135.166.

15 2. The section of this Act amending 2019 Iowa Acts, chapter  
16 85, section 97.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with  
19 the explanation's substance by the members of the general assembly.

20 This bill relates to health data including the collection  
21 and use of hospital data.

22 2019 Iowa Acts, House File 766, directed the department of  
23 public health (DPH) to enter into a memorandum of understanding  
24 with a contractor selected through a request for proposals  
25 process, rather than with the Iowa hospital association,  
26 to act as the department's intermediary in collecting,  
27 maintaining, and disseminating hospital inpatient, outpatient,  
28 and ambulatory data, and further directed DPH to continue the  
29 memorandum of understanding with the Iowa hospital association  
30 until the contractor selected through a request for proposals  
31 process assumed the duties of intermediary on January 1, 2021.

32 The bill changes the transition period for continuation of  
33 the memorandum of understanding from January 1, 2021, to July  
34 1, 2021. The bill also requires that the request for proposals  
35 to select a contractor prohibit the contractor from charging a

1 hospital a fee for access to or submission of data collected  
2 by the contractor from a hospital in the state, and that the  
3 request for proposals be issued by July 1, 2020, and the  
4 contract with the contractor selected be executed by October  
5 1, 2020.

6 The bill establishes a health data work group to evaluate  
7 the health data needs of the state. In addition to the members  
8 of the data sharing and use work group of the Iowa healthcare  
9 innovation and visioning roundtable established in 2017, the  
10 work group membership shall include a member of the rural  
11 Iowa community health alliance representing a critical access  
12 hospital and a representative of a rural prospective payment  
13 system hospital. The work group is tasked with continuing the  
14 work of the roundtable by implementing and building on the  
15 real time healthcare information strategy, the data privacy  
16 strategy, and the oversight strategy recommended by the data  
17 sharing and use work group of the roundtable as submitted  
18 in September 2018, and the data steering committee update  
19 and recommendations submitted in June 2019 relating to the  
20 governance model for and the functionality of the Iowa health  
21 information network. The work group shall submit an initial  
22 report to the governor and the general assembly by June 1,  
23 2020, and periodic progress reports on the implementation of  
24 recommendations, measures, and milestones of success, and any  
25 future actions thereafter.

26 The bill takes effect upon enactment, and certain provisions  
27 are retroactively applicable to July 1, 2019.