

AN ACT

RELATING TO HEALTH AND SAFETY; PROVIDING FOR HEALTH INFORMATION TECHNOLOGY; CHANGING THE NAME OF THE NEW MEXICO TELEHEALTH COMMISSION ACT AND THE NEW MEXICO TELEHEALTH COMMISSION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 24-1G-1 NMSA 1978 (being Laws 2005, Chapter 55, Section 1) is amended to read:

"24-1G-1. SHORT TITLE.--Chapter 24, Article 1G NMSA 1978 may be cited as the "New Mexico Telehealth and Health Information Technology Commission Act"."

Section 2. Section 24-1G-2 NMSA 1978 (being Laws 2005, Chapter 55, Section 2) is amended to read:

"24-1G-2. PURPOSE.--The purpose of creating a telehealth and health information technology commission is to encourage a single, coordinated statewide effort to create a telehealth and health information technology system that:

A. provides and supports health care delivery, diagnosis, consultation, treatment, transfer of medical data and education when distance separates a patient and a health care provider; multiple health care providers involved in patient care; and health care providers and educational or professional activities;

B. addresses the problems of provider distribution

in medically underserved areas of the state;

C. strengthens the health infrastructure;

D. attracts and retains health care providers in rural areas; and

E. helps reduce costs associated with health care and make health care more affordable."

Section 3. Section 24-1G-3 NMSA 1978 (being Laws 2005, Chapter 55, Section 3) is amended to read:

"24-1G-3. DEFINITIONS.--As used in the New Mexico Telehealth and Health Information Technology Commission Act:

A. "commission" means the New Mexico telehealth and health information technology commission;

B. "health information technology" means products, devices or systems that allow for the secure electronic collection, storage, exchange or management of patient information; and

C. "telehealth" means the use of electronic information, imaging and communication technologies, including interactive audio, video and data communications as well as store-and-forward technologies, to provide and support health care delivery, diagnosis, consultation, treatment, transfer of medical data and education."

Section 4. Section 24-1G-4 NMSA 1978 (being Laws 2005, Chapter 55, Section 4) is amended to read:

"24-1G-4. NEW MEXICO TELEHEALTH AND HEALTH INFORMATION

TECHNOLOGY COMMISSION CREATED--POWERS AND DUTIES--
MEMBERSHIP.--

A. The "New Mexico telehealth and health information technology commission" is created. The commission is administratively attached to the department of health, which shall work in conjunction with the New Mexico health policy commission, in accordance with the Executive Reorganization Act.

B. The commission shall consist of no more than twenty-five members with members, one-third of whom shall be from rural areas, chosen from the following categories, all of whom shall be appointed by and serve at the pleasure of the governor:

- (1) health care facilities;
- (2) health care practitioners;
- (3) health care workforce educators;
- (4) telehealth technology experts;
- (5) the telecommunications industry;
- (6) the business community;
- (7) health care insurance providers or other health care payers;
- (8) the health information technology industry;
- (9) Indian nations, tribes and pueblos;
- (10) legislators;

- (11) state agencies responsible for:
 - (a) telecommunications;
 - (b) public health;
 - (c) medicaid and social services;
 - (d) workforce development;
 - (e) children's health and social services;
 - (f) services for the elderly and disabled;
 - (g) criminal justice;
 - (h) health policy and planning; and
 - (i) education; and

(12) other members as the governor may appoint to ensure appropriate cultural and geographic representation and the interests of the public.

C. The commission shall:

(1) identify how telehealth and health information technology can be used to increase access to care and implement state comprehensive health plans;

(2) identify barriers to telehealth and health information technology utilization and expansion, including payment, infrastructure, training and workforce availability;

(3) inventory the state's telehealth and health information technology assets, map available

telecommunications infrastructure and examine the financial impact of failing to develop the state's telehealth and health information technology capacities;

(4) coordinate public and private sector initiatives to enhance networking, portal development and connectivity and to expand telehealth and health information technology and telecommunications capacity;

(5) establish subcommittees as the commission deems necessary to fulfill its purpose, powers and duties or to address specific telehealth and health information technology issues;

(6) identify specific actions to increase collaborative efforts and public-private partnerships to increase the use of telehealth and health information technology for health care access development, patient outcome improvement, patient and workforce education and health care practitioner recruitment and development;

(7) develop and disseminate specific telehealth and health information technology guidelines to ensure quality of care, positive health outcomes, appropriate use of technology and protection of privacy and confidentiality;

(8) review and comment on initiatives, projects or grant applications to ensure telehealth and health information technology guidelines are met and maximum

collaboration and cooperation across the state is encouraged;

(9) meet at least once each quarter at the call of the chair or vice chair, who shall be designated by the governor from among the membership; and

(10) report annually to the governor and the legislature on the state of the telehealth and health information technology system and the adequacy and allocation of telehealth and health information technology services throughout the state, providing the governor and the legislature with specific recommendations for improving telehealth and health information technology and related service systems.

D. A majority of the members of the commission constitutes a quorum for the transaction of business."