

1 **H. B. 2019**

2
3 (By Delegates Perdue, Morgan and Staggers)
4 [Introduced January 12, 2011; referred to the
5 Committee on Government Organization.]

6 **FISCAL**
7 **NOTE**

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9
10 A BILL to amend and reenact §16-29G-2 of the Code of West Virginia,
11 1931, as amended, relating to increasing the representation on
12 the Health Information Network Board.

13 *Be it enacted by the Legislature of West Virginia:*

14 That §16-29G-2 of the Code of West Virginia, 1931, as amended,
15 be amended and reenacted to read as follows:

16 **ARTICLE 29G. WEST VIRGINIA HEALTH INFORMATION NETWORK.**

17 **§16-29G-2. Creation of West Virginia Health Information Network**
18 **Board of Directors; powers of the board of**
19 **directors.**

20 (a) The network is created under the Health Care Authority for
21 administrative, personnel and technical support purposes. The
22 network shall be managed and operated by a board of directors. The
23 board of directors is an independent, self-sustaining board with

1 the powers specified in this article.

2 (b) The board is part-time. Each member shall devote the time
3 necessary to carry out the duties and obligations of members on the
4 board.

5 (c) Members appointed by the Governor may pursue and engage in
6 another business or occupation or gainful employment that is not in
7 conflict with his or her duties as a member of the board.

8 (d) The board shall meet at such times as the chair may
9 decide. ~~Eight~~ A majority of the members of the board are a quorum
10 for the purposes of the transaction of business and for the
11 performance of any duty.

12 (e) A majority vote of the members present is required for any
13 final determination by the board. Voting by proxy is not allowed.

14 (f) The Governor may remove any board member for incompetence,
15 misconduct, gross immorality, misfeasance, malfeasance or
16 nonfeasance in office.

17 (g) The board shall consist of ~~seventeen members, designated~~
18 ~~as follows,~~ but not be limited to, the following designated
19 members:

20 (1) The Dean of the West Virginia University School of
21 Medicine or his or her designee;

22 (2) The Dean of the Marshall University ~~John~~ Joan C. Edwards
23 School of Medicine or his or her designee;

24 (3) The President of the West Virginia School of Osteopathic

1 Medicine or his or her designee;

2 (4) The Secretary of the Department of Health and Human
3 Resources or his or her designee;

4 (5) The President of the West Virginia Board of Pharmacy or
5 his or her designee;

6 (6) The Director of the Public Employees Insurance Agency or
7 his or her designee;

8 (7) The Chief Technology Officer of the Office of Technology
9 or his or her designee;

10 (8) The Chair of the Health Care Authority or his or her
11 designee;

12 (9) The President of the West Virginia Hospital Association or
13 his or her designee;

14 (10) The President of the West Virginia State Medical
15 Association or his or her designee;

16 (11) The Chief Executive Officer of the West Virginia Health
17 Care Association or his or her designee;

18 (12) The Executive Director of the West Virginia Primary Care
19 Association or his or her designee; ~~and~~

20 (13) The Commissioner of the Bureau for Medical Services, or
21 his or her designee;

22 (14) The Commissioner of the Bureau for Public Health, or his
23 or her designee;

24 (15) The Insurance Commissioner, or his or her designee;

1 (16) The Secretary of the Department of Commerce, or his or
2 her designee;

3 (17) The President of the West Virginia Health Maintenance
4 Organization or his or her designee; and

5 ~~(13)~~ (18) Five Six public members that serve at the will and
6 pleasure of the Governor and are appointed by the Governor with
7 advice and consent of the Senate as follows:

8 (i) One member with legal expertise in matters concerning the
9 privacy and security of health care information;

10 (ii) Two physicians actively engaged in the practice of
11 medicine in the state;

12 (iii) One member engaged in the business of health insurance
13 who is employed by a company that has its headquarters in West
14 Virginia; ~~and~~

15 (iv) The chief executive officer of a West Virginia
16 corporation working with West Virginia health care providers,
17 insurers, businesses and government to facilitate the use of
18 information technology to improve the quality, efficiency and
19 safety of health care for West Virginians; and

20 (v) A consumer of health services.

21 (h) The Governor shall appoint one of the board members to
22 serve as chair of the board at the Governor's will and pleasure.
23 The board shall annually select one of its members to serve as vice
24 chair. The Chair of the Health Care Authority shall serve as the

1 secretary-treasurer of the board. The board may recommend
2 additional appointments to the Governor when needed expertise is
3 identified.

4 (i) The public members of the board shall serve a term of four
5 years and may serve two consecutive terms. At the end of a term,
6 a member of the board shall continue to serve until a successor is
7 appointed. Those members designated in subdivisions (1) through
8 (12), inclusive, subsection (g) of this section shall serve on the
9 board only while holding the position that entitle them to
10 membership on the board.

11 (j) The board may propose the adoption or amendment of rules
12 to the Health Care Authority to carry out the objectives of this
13 article.

14 (k) The board may appoint committees or subcommittees to
15 investigate and make recommendations to the full board. Members of
16 such committees or subcommittees need not be members of the board.

17 (l) Each member of the board and the board's committees and
18 subcommittees is entitled to be reimbursed for actual and necessary
19 expenses incurred for each day or portion thereof engaged in the
20 discharge of official duties in a manner consistent with guidelines
21 of the Travel Management Office of the Department of
22 Administration.

NOTE: The purpose of this bill is to increase the representation on the Health Information Network Board. It also provides that a quorum is a majority of the board.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.