

By Senator Rodriguez

40-00695-24

2024668__

1 A bill to be entitled
2 An act relating to electronic health records; amending
3 s. 408.051, F.S.; requiring certain hospitals to make
4 patients' electronic health records available through
5 a nationally recognized trusted exchange framework;
6 providing that hospitals may maintain national network
7 connectivity directly or through a third-party vendor;
8 providing an exemption; requiring the Agency for
9 Health Care Administration to adopt rules; amending s.
10 408.0611, F.S.; requiring certain hospitals to make
11 specified patient data available to the agency's
12 Florida Health Information Exchange program for
13 specified purposes; requiring certain community
14 pharmacies to participate in the agency's Emergency
15 Patient Look-Up System for a specified purpose;
16 providing an exemption; requiring the agency to adopt
17 rules; amending s. 408.821, F.S.; requiring certain
18 licensees to report certain information in a manner,
19 timeframe, and frequency prescribed by agency rule;
20 providing an effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 Section 1. Present subsections (5) and (6) of section
25 408.051, Florida Statutes, are redesignated as subsections (6)
26 and (7), respectively, and a new subsection (5) is added to that
27 section, to read:

28 408.051 Florida Electronic Health Records Exchange Act.—
29 (5) TRUSTED EXCHANGE FRAMEWORK REQUIREMENT.—Hospitals as

40-00695-24

2024668__

30 defined in s. 395.002 which maintain certified electronic health
31 record technology shall make patients' electronic health records
32 available through a nationally recognized trusted exchange
33 framework.

34 (a) Hospitals may maintain national network connectivity
35 directly or through a third-party vendor.

36 (b) Hospitals with 25 or fewer beds are exempt from this
37 subsection.

38 (c) The agency shall adopt rules necessary to implement
39 this subsection.

40 Section 2. Subsections (5) and (6) are added to section
41 408.0611, Florida Statutes, to read:

42 408.0611 Electronic prescribing clearinghouse.—

43 (5) Hospitals as defined in s. 395.002 which maintain
44 certified electronic health record technology must make patient
45 admission, transfer, and discharge data available to the
46 agency's Florida Health Information Exchange program for the
47 purpose of supporting public health data registries and patient
48 care coordination.

49 (6) Beginning January 1, 2025, a community pharmacy as
50 defined in s. 465.003(20)(a)1. which maintains a system for
51 electronic prescribing as defined in s. 408.0611(2) shall
52 participate in the agency's Emergency Patient Look-Up System for
53 the purpose of supporting emergency response during a declared
54 state of emergency.

55 (a) Internet pharmacies as defined in s. 465.003 are exempt
56 from this subsection until their electronic prescribing vendor
57 is connected to the agency's Emergency Patient Look-Up System.

58 (b) The agency shall adopt rules necessary to administer

40-00695-24

2024668__

59 this subsection.

60 Section 3. Subsection (5) is added to section 408.821,
61 Florida Statutes, to read:

62 408.821 Emergency management planning; emergency
63 operations; inactive license.—

64 (5) Licensees required to report information under
65 subsection (4) must do so in a manner, timeframe, and frequency
66 prescribed by agency rule.

67 Section 4. This act shall take effect July 1, 2024.