

TITLE 7 HEALTH
CHAPTER 1 HEALTH GENERAL PROVISIONS
PART 28 HEALTH INFORMATION SYSTEM ADVISORY COMMITTEE RESPONSIBILITIES AND DUTIES

7.1.28.1 ISSUING AGENCY: New Mexico Department of Health.
[7.1.28.1 NMAC - N, 02/12/2016]

7.1.28.2 SCOPE: This rule establishes the membership, duties, and responsibilities of the health information system advisory committee.
[7.1.28.2 NMAC - N, 02/12/2016]

7.1.28.3 STATUTORY AUTHORITY: The requirements set forth herein are promulgated by the secretary of the department of health pursuant to the authority granted under Subsection E of Section 9-7-6 NMSA 1978, and the Health Information System Act, 24-14A-1 et seq. NMSA 1978.
[7.1.28.3 NMAC - N, 02/12/2016]

7.1.28.4 DURATION: Permanent.
[7.1.28.4 NMAC - N, 02/12/2016]

7.1.28.5 EFFECTIVE DATE: February 12, 2016, unless a later date is cited at the end of a section.
[7.1.28.5 NMAC - N, 02/12/2016]

7.1.28.6 OBJECTIVE: The objective of this rule is to establish membership, duties, and responsibilities that govern the health information system advisory committee.
[7.1.28.6 NMAC - N, 02/12/2016]

7.1.28.7 DEFINITIONS:

- A. “Advisory committee”** means the health information system advisory committee.
- B. “Data source” or “data provider”** means a person that possesses health information, including any public or private sector licensed health care practitioner, primary care clinic, ambulatory surgery center, ambulatory urgent care center, ambulatory dialysis unit, home health agency, long-term care facility, hospital, pharmacy, third-party payer and any public entity that has health information.
- C. “Department”** means the department of health.
- D. “Health information” or “health data”** means any data relating to health care; health status, including environmental, social and economic factors; the health system; or health costs and financing.
- E. “Hospital”** means any general or special hospital licensed by the department, whether publicly or privately owned.
- F. “Long-term care facility”** means any skilled nursing facility or nursing facility licensed by the department, whether publicly or privately owned.
- G. “Secretary”** means the secretary of the New Mexico department of health.
- H. “Third-party payer”** means any public or private payer of health care services and includes health maintenance organizations and health insurers.

[7.1.28.7 NMAC - N, 02/12/2016]

7.1.28.8 ADVISORY COMMITTEE MEMBERSHIP REQUIREMENTS AND RESPONSIBILITIES:

- A. Advisory committee membership:** The advisory committee shall be comprised of a minimum of seven individuals, and a maximum of 13, who shall be appointed by the secretary, and shall include:
 - (1) the secretary or the secretary’s designee, who shall serve as chair of the committee;
 - (2) data sources or data providers;
 - (3) health care consumers or representatives from health care consumer groups; and
 - (4) health data experts.
- B. Duties and responsibilities:** The advisory committee shall convene on at least a quarterly basis to:

- (1) review and recommend to the department methods for the effective dissemination of health information reports, to include the availability of reports that would be of interest to the public;
- (2) review health information reports and recommend amendments for the purpose of rendering reports most useful and understandable to a lay audience;
- (3) recommend reports that will address public concerns regarding health information and access to health care; and
- (4) advise the department in carrying out the provisions of the Health Information System Act.

C. Final determinations: The committee shall provide the secretary with written recommendation in accordance with the duties and responsibilities listed above, including any supporting documentation or public commentary. The secretary shall make a final determination on all committee recommendations.

D. Quorum: A quorum of the committee membership shall consist of a simple majority.

E. Advisory board membership term:

- (1) Members of the committee other than the secretary or secretary's designee shall serve for staggered terms of two years from the date of appointment by the secretary.
- (2) A member may be reappointed to consecutive terms.
- (3) No member may be removed prior to the expiration of his or her term without a showing of good cause by the secretary.
- (4) Members who have not attended at least half of the meetings in a calendar year may be removed from the committee by the secretary.
- (5) Should a member chose to discontinue service on the committee prior to the expiration of his or her term, the member shall submit a request in writing to the secretary.

F. Advisory meeting structure: Each member should attend committee meetings in person, but if it is otherwise difficult or impossible to attend in person, then members will have the option to participate in the meeting by conference telephone or similar communications equipment approved by the chair.

G. Per diem and mileage: All committee members may receive as their sole remuneration those amounts authorized under the Per Diem and Mileage Act, Sections 10-8-1 *et seq.*, NMSA 1978.

[7.1.28.8 NMAC - N, 02/12/2016]

7.1.28.9 ADVISORY BOARD PUBLIC HEARING PROCEDURES:

A. Public hearing requirement: The committee shall convene by public hearing on at least a quarterly basis.

B. Location of the public hearing: Hearings shall take place at a location sufficient to accommodate the anticipated audience.

C. Public hearing notice: The committee chair or designee shall prepare a notice of public hearing setting forth the date, time and location of the hearing no later than 30 days prior to the hearing date.

D. Public hearing agenda: The department shall make available no later than 72 hours prior to the hearing an agenda containing a list of specific items to be discussed or information on how the public may obtain a copy of such agenda. The agenda shall also be posted on the department's website.

E. Minutes: The committee shall keep written minutes of all its meetings.

[7.1.28.9 NMAC - N, 02/12/2016]

HISTORY OF 7.1.28 NMAC: [RESERVED]