

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER # 303

Relating to the Governor's WIRED for Health Board

WHEREAS, adoption and meaningful use of certified electronic health record systems, and a statewide health information exchange ("HIE") are critical components of a high performance health care system and would improve the quality and reduce the cost of health care in Wisconsin by:

1. Ensuring health information is available at the point of care for all patients; and
2. Reducing medical errors and avoiding duplicative medical procedures; and
3. Improving coordination of care between hospitals, physicians, and other health professionals; and
4. Enabling public health surveillance and improving population health over the lifespan; and
5. Furthering health care research; and
6. Providing consumers with their health information to encourage greater participation in their health care decisions; and

WHEREAS, on August 20, 2009, the Office of the National Coordinator for Health Information Technology issued its Funding Opportunity Announcement for the State HIE Cooperative Agreement Program under Section 3013 of the American Recovery and Reinvestment Act of 2009; and

WHEREAS, the federal government intends to financially support statewide initiatives aligned with federal efforts to achieve the goals of the Health Information Technology for Economic and Clinical Health ("HITECH") Act; and

WHEREAS, the Office of the National Coordinator will award \$9.441 million to Wisconsin under a cooperative agreement for developing a statewide HIE; and

WHEREAS, the governance, policy, and technical infrastructure for an effective statewide HIE must be created to facilitate and expand the secure electronic movement and use of health information among organizations, according to nationally recognized standards; and

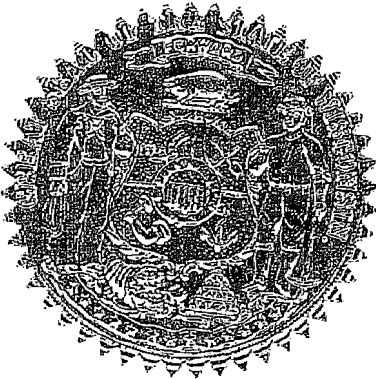
WHEREAS, the HITECH Act provides the State of Wisconsin the option of designating a not-for-profit entity (known as the State Designated Entity) to assume the aforementioned responsibilities;

NOW, THEREFORE, I, JIM DOYLE, Governor of the State of Wisconsin by the authority vested in me by the Constitution and the Laws of this State, and specifically by Wis. Stat. §14.019, do hereby:

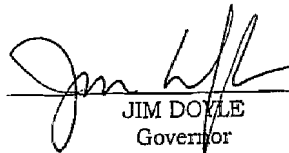
1. Create a Board for the Wisconsin Relay of Electronic Data ("WIRED") for Health ("Board") organized under the Department of Health Services; and
2. Direct the Board to develop statewide HIE capacity and resolve issues related to HIE governance, finance, infrastructure, operations, and legal; and

3. Direct the Board to develop, no later than June 1, 2010, and implement Strategic and Operational Plans for statewide HIE, in accordance with the Office of the National Coordinator's State HIE Cooperative Agreement Program requirements, that will:
 - a. Provide for oversight and accountability of HIE to protect the public interest, and develop and maintain a multi-stakeholder process to ensure HIE among providers is in compliance with applicable laws and policies; and
 - b. Identify, secure, and provide for the management of financial resources needed to fund HIE, including public and private financing to build statewide HIE capacity and sustainability; and
 - c. Provide for a secure, reliable statewide HIE technical infrastructure and services that leverage existing public and private health information technology assets; and
 - d. Provide for business and technical operations activities needed to support providers' adoption and meaningful use of electronic health records; and
 - e. Provide for the operation of a statewide HIE, and enable the efficient, appropriate, and secure flow of information to optimize decisions for health; and
 - f. Create a common set of rules to enable inter-organizational and eventually interstate HIE while protecting consumer interests; and
4. Provide that up to fifteen (15) members of the Board shall be appointed by and serve without compensation at the pleasure of the Governor for an initial term of two years (except ex-officio positions); and
5. Provide that members of the Board shall represent both private and public stakeholders, including:
 - a. A commercial health insurer or health plan; and
 - b. A patient or consumer advocacy organization; and
 - c. Hospitals or integrated delivery networks, representing both urban and rural hospitals or networks; and
 - d. Physicians, preferably one from large group practice and one from solo or small group practice; and
 - e. The business community; and
 - f. Pharmacies; and
 - g. Laboratories; and
 - h. Higher education, from a health-services discipline; and
 - i. Health information/quality organizations; and
 - j. Public health (ex-officio position); and
 - k. The State Medicaid program (ex-officio position); and
 - l. The State Chief Information Officer (ex-officio position); and
6. Provide that the Officers (Chairperson, Vice Chairperson, Treasurer, and Secretary) of the Board shall be selected by the Board from among the Board's membership to serve for an initial term of one year; and
7. Provide that the Board may establish committees or workgroups as necessary to conduct its business; and

8. Provide that the Board may adopt policies and procedures to govern its proceedings and carry out its duties as specified in this Executive Order; and
9. Direct the Board to annually report to the Governor and the Secretary of the Department of Health Services on its activities and accomplishments, including HIE implementation progress and the impact of HIE on health care delivery in Wisconsin; and
10. Direct that the Board shall exist until such time as a qualified, not for profit corporation is designated by the Governor, or created and designated in statute specifically for the purpose of governing the implementation and operation of statewide HIE services; and
11. Rescind Executive Order 129 relating to the Governor's eHealth Care Quality and Patient Safety Board.

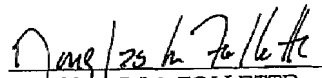


IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this first day of December, in the year two thousand nine.



JIM DOYLE
Governor

By the Governor:



DOUGLAS LA FOLLETTE
Secretary of State