

Regular Session, 2014

HOUSE BILL NO. 669

BY REPRESENTATIVE SIMON

HEALTH CARE: Provides relative to healthcare cost and quality information

1 AN ACT

2 To amend and reenact R.S. 40:1300.112 and 1300.113(A) and (C), relative to healthcare  
3 information; to provide relative to healthcare service cost and quality information;  
4 to provide for powers and duties of the Department of Health and Hospitals; to  
5 provide for an Internet website to feature certain healthcare information; to provide  
6 for publication of certain cost and quality data; to make technical corrections; and  
7 to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 40:1300.112 and 1300.113(A) and (C) are hereby amended and  
10 reenacted to read as follows:

11 §1300.112. Data collection; powers and duties of the Department of Health and  
12 Hospitals

13 A. The Department of Health and Hospitals, in consultation with the Health  
14 Data Panel, shall:

15 (1) Identify and define the ~~health-care~~ healthcare cost, quality, and  
16 performance data elements to be reported to the Department of Health and Hospitals  
17 in accordance with existing national and international data standards for consumers'  
18 meaningful comparison of costs for specific ~~health-care~~ healthcare services and  
19 specific quality of care measures between and among medical facilities, ~~health-care~~  
20 healthcare providers, and health plans.

21 (2) Develop standards of accuracy, quality, timeliness, economy, and  
22 efficiency for the provision of data.

1           (3) Identify the most practical methods to collect, transmit, and share  
2 required ~~health care~~ healthcare data as described in this Part.

3           (4) Utilize, wherever practical, existing administrative data bases, and  
4 modalities of data collection to provide the required data.

5           (5) Ensure confidentiality of patients by enforcing appropriate rules and  
6 regulations at least as stringent as those regulations applicable to covered entities  
7 promulgated under the Health Insurance Portability and Accountability Act privacy  
8 regulations, 42 CFR Part 164.

9           (6) Coordinate with the Louisiana Department of Insurance on all matters of  
10 health plan cost, quality, and performance data to be collected from health plans  
11 licensed to offer health insurance coverage in Louisiana. Such data shall exclude  
12 premium data and information related to the development of premiums.

13           (7) Include appropriate risk-adjustment measures into the production of all  
14 ~~health care~~ healthcare cost, quality, and performance data issued to account for  
15 variation in facility size, location, and patient acuity levels.

16           (8) Provide the process for Internet publication of provider and health plan  
17 specific cost, quality, and performance data collected pursuant to this Part for access  
18 and use by a consumer or requesting entity.

19           (9) Ensure that data released pursuant to this Part shall not include any  
20 identifier which is listed in 45 CFR 164.514(b) as being necessary to be removed in  
21 order for the data to be de-identified within the meaning of 45 CFR 164.514(a).

22           (10) Promulgate rules and regulations, in accordance with the Administrative  
23 Procedure Act, to carry out the provisions of this Part.

24           (11) Implement the initial phase of the Internet website created pursuant to  
25 this Part on or before April 30, ~~2009~~ 2015.

26           ~~(12)~~ B. In the event that sufficient funds are not appropriated to implement  
27 this Part, to include the collection, storage, analysis, and dissemination of data to  
28 participating agencies, organizations, and the general public, the application and  
29 enforcement of this Part shall be suspended pending the appropriation of sufficient

funds, and all accumulated ~~health-care~~ healthcare data shall be stored with appropriate confidentiality safeguards, destroyed, or transferred to another appropriate agency or organization in accordance with state law.

§1300.113. Health Data Panel; advisory council to the secretary of the Department of Health and Hospitals

A. The Department of Health and Hospitals shall create the Health Data Panel. The purpose of the Health Data Panel shall be to make recommendations to the secretary of the Department of Health and Hospitals for the implementation of the requirements of this Part. The Health Data Panel shall consider the provisions set forth in R.S. ~~40:1300.112~~ 40:1300.112(A).

\* \* \*

C. The secretary or his designee shall serve as the chairman of the meetings of the Health Data Panel. The secretary may use the recommendations of the Health Data Panel to fulfill the ~~Department of Health and Hospitals'~~ responsibilities of the Department of Health and Hospitals as set forth in this Part.

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Section 2. The Louisiana State Law Institute is hereby directed to redesignate the numbers of the Sections of statute enacted by this Act in a manner that comports with the technical recodification provisions of the Act which originated as House Bill No. \_\_\_\_ of this 2014 Regular Session of the Legislature.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Simon

HB No. 669

**Abstract:** Provides relative to healthcare cost and quality information.

Present law entitled "Louisiana Healthcare Consumers' Right to Know", comprising Part L of Chapter 5 of Title 40 of the La. Revised Statutes of 1950, provides relative to collection and publication of healthcare cost and quality data by the Dept. of Health and Hospitals (DHH) in conjunction with the Health Data Panel. Proposed law generally retains present law.

Present law requires that DHH implement the initial phase of the Internet website created pursuant to present law for publication of healthcare information on or before Apr. 30, 2009. Proposed law changes the date by which the initial phase of the healthcare information website shall be implemented prior to Apr. 30, 2015.

(Amends R.S. 40:1300.112 and 1300.113(A) and (C))