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I N S E N A T E

April 9, 2014

Introduced by Sen. HANNON -- (at request of the Department of Health) --
read twice and ordered printed, and when printed to be committed to
the Committee on Health

AN ACT to amend the public health law, in relation to hospital sepsis
data

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 2805-m of the public health law is amended by
2 adding a new subdivision 4 to read as follows:
3 4. (A) HOSPITAL CLINICAL DATA SUBMITTED PURSUANT TO PARAGRAPH (7) OF
4 SUBDIVISION (A) OF SECTION 405.4 OF TITLE 10 OF THE OFFICIAL COMPILATION
5 OF CODES, RULES AND REGULATIONS OF THE STATE OF NEW YORK, SHALL FOR THE
6 INITIAL PHASE OF DATA COLLECTION BE CONSIDERED A "PILOT PHASE", THE
7 PURPOSE OF WHICH IS TO ENSURE THE COMPLETENESS AND ACCURACY OF REPORTING
8 BY HOSPITALS.
9 (B) FOR DATA REPORTED DURING THE PILOT PHASE, HOSPITAL IDENTIFIERS
10 SHALL BE ENCRYPTED BY THE DEPARTMENT IN ANY AND ALL PUBLIC DATABASES AND
11 REPORTS. THE DEPARTMENT SHALL PROVIDE EACH HOSPITAL WITH AN ENCRYPTION
12 KEY FOR THAT HOSPITAL ONLY TO PERMIT ACCESS TO ITS OWN PERFORMANCE DATA
13 FOR INTERNAL QUALITY IMPROVEMENT PURPOSES. HOSPITAL SPECIFIC PUBLIC
14 REPORTING OF SEPSIS DATA INCLUDING, BUT NOT LIMITED TO RISK ADJUSTED
15 SEPSIS MORTALITY RATES, MAY REQUIRE UP TO, BUT NO MORE THAN, TWO YEARS
16 OF "PILOT PHASE" COLLECTION DEPENDING ON THE VALIDITY AND RELIABILITY
17 OUTCOMES OF THE DATA COLLECTED.
18 (C) AS DESCRIBED IN THE REGULATIONS PERTAINING TO THE SUBMISSION OF
19 DATA ON SEPSIS TO THE DEPARTMENT, CONSULTATION WITH APPROPRIATE
20 NATIONAL, HOSPITAL AND EXPERT STAKEHOLDERS WILL ASSIST IN DETERMINING
21 THE APPROPRIATE PUBLIC RELEASE OF HOSPITAL PERFORMANCE.
22 (D) THE DEPARTMENT SHALL ISSUE REGULAR REPORTS AS NEEDED TO HOSPITALS
23 ASSESSING THE ACCURACY OF THE DATA SUBMITTED DURING THE PILOT PHASE AND
24 PROVIDE GUIDANCE FOR IMPROVING THE ACCURACY OF DATA REPORTING.
25 (E) AFTER THE PILOT PHASE IS COMPLETED, ALL DATA SUBMITTED UNDER THIS
26 SECTION AND COMPILED IN THE DATABASE ESTABLISHED HEREIN AND ALL PUBLIC
27 REPORTS DERIVED THEREFROM SHALL INCLUDE HOSPITAL IDENTIFIERS.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 (F) CLINICAL PERFORMANCE DATA, INCLUDING BUT NOT LIMITED TO INDIVIDUAL
2 HOSPITAL MORTALITY RATES ADJUSTED FOR POTENTIAL DIFFERENCES IN RISK
3 FACTORS AND COMPARISONS WITH STATE (OR NATIONAL, IF AVAILABLE) AVERAGES,
4 SHALL BE DEVELOPED AND POSTED ON THE DEPARTMENT'S WEB SITE.

5 S 2. This act shall take effect immediately.