S T A T E O F N E W Y O R K

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2015-2016 Regular Sessions

I N S E N A T E

April 22, 2015

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 2805-m of the public health law is amended by adding a new subdivision 4 to read as follows:

4. (A) HOSPITAL SEPSIS DATA SUBMITTED TO THE DEPARTMENT, SHALL FOR THE INITIAL PHASE OF DATA COLLECTION BE CONSIDERED A "PILOT PHASE", THE PURPOSE OF WHICH IS TO ENSURE THE COMPLETENESS AND ACCURACY OF REPORTING BY HOSPITALS.

(B) FOR DATA REPORTED DURING THE PILOT PHASE, HOSPITAL IDENTIFIERS SHALL BE ENCRYPTED BY THE DEPARTMENT IN ANY AND ALL PUBLIC DATABASES AND REPORTS. THE DEPARTMENT SHALL PROVIDE EACH HOSPITAL WITH AN ENCRYPTION KEY FOR THAT HOSPITAL ONLY TO PERMIT ACCESS TO ITS OWN PERFORMANCE DATA FOR INTERNAL QUALITY IMPROVEMENT PURPOSES. HOSPITAL SPECIFIC PUBLIC REPORTING OF SEPSIS DATA INCLUDING, BUT NOT LIMITED TO RISK ADJUSTED SEPSIS MORTALITY RATES, MAY REQUIRE UP TO, BUT NO MORE THAN, TWO YEARS OF "PILOT PHASE" COLLECTION DEPENDING ON THE VALIDITY AND RELIABILITY OUTCOMES OF THE DATA COLLECTED.

(C) AS DESCRIBED IN THE REGULATIONS PERTAINING TO THE SUBMISSION OF DATA ON SEPSIS TO THE DEPARTMENT, CONSULTATION WITH APPROPRIATE NATIONAL, HOSPITAL AND EXPERT STAKEHOLDERS WILL ASSIST IN DETERMINING THE APPROPRIATE PUBLIC RELEASE OF HOSPITAL PERFORMANCE.

(D) THE DEPARTMENT SHALL ISSUE REGULAR REPORTS AS NEEDED TO HOSPITALS ASSESSING THE ACCURACY OF THE DATA SUBMITTED DURING THE PILOT PHASE AND PROVIDE GUIDANCE FOR IMPROVING THE ACCURACY OF DATA REPORTING.

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

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(E) AFTER THE PILOT PHASE IS COMPLETED, ALL DATA SUBMITTED UNDER THIS SECTION AND COMPILED IN THE DATABASE ESTABLISHED HEREIN AND ALL PUBLIC REPORTS DERIVED THEREFROM SHALL INCLUDE HOSPITAL IDENTIFIERS.

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

S 2. This act shall take effect immediately.