

2015 Regular Session

HOUSE BILL NO. 498

BY REPRESENTATIVE TALBOT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HEALTH SERVICES: Provides for transparency in health services pricing and healthcare quality measures

1 AN ACT

2 To amend and reenact R.S. 40:1300.111 and 1300.113(A)(introductory paragraph), (1), and  
3 (9), and to repeal R.S. 40:1300.113(B), relative to public information concerning  
4 prices and quality of health services; to provide for legislative intent; to provide for  
5 duties of the Department of Health and Hospitals relative to collecting and reporting  
6 of healthcare data; to require promulgation of rules; and to provide for related  
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 40:1300.111 and 1300.113(A)(introductory paragraph), (1), and (9)  
10 are hereby amended and reenacted to read as follows:

11 §1300.111. Findings; legislative intent

12 A. The legislature hereby finds all of the following:

13 (1) As a result of rising ~~health-care~~ healthcare costs, the shortage of health  
14 professionals and ~~health-care~~ healthcare services in many areas of the state, and the  
15 concerns expressed by consumers, ~~health-care~~ healthcare providers, third-party  
16 payers, and others involved with making informed decisions regarding ~~health-care~~  
17 healthcare services, treatment, and coverage, there is a need to have access to  
18 provider specific ~~health-care~~ healthcare cost, quality, and outcome data on ~~health~~  
19 ~~care~~ healthcare facilities, ~~health-care~~ healthcare providers, and health plans as well

1 as continued access to global patterns and trends in the availability, use, and charges  
2 for ~~health-care~~ healthcare services and the associated health circumstances.

3 (2) Due to the rapidly expanding availability of and access to patient  
4 sensitive ~~health-care~~ healthcare data, it is necessary to establish safeguards which  
5 ensure the level of protection of patient encounter data that Louisiana citizens  
6 deserve, and which protect the privacy of health information comprising data sets  
7 that are reported and disseminated to improve the population health of this state.

8 B. It is the intent of the legislature to improve transparency in prices and care  
9 quality measures by providing for the creation and maintenance of a useful and  
10 comprehensive health service information database that can be publicly accessed in  
11 a manner that ensures protection of individuals' confidential health information and  
12 respects providers of care.

13 \* \* \*

14 §1300.113. Data collection; powers and duties of the Department of Health and  
15 Hospitals

16 A. The department, through the office of public health and in consultation  
17 with the Health Data Panel, shall:

18 (1) Identify and define the ~~health-care~~ healthcare cost, quality, and  
19 performance data elements to be reported to the department in accordance with  
20 existing national and international data standards for facilitating meaningful  
21 comparison by consumers of costs for specific ~~health-care~~ healthcare services and  
22 specific quality of care measures between and among medical facilities, ~~health-care~~  
23 healthcare providers, and health plans. Such data elements shall include, without  
24 limitation, the items specified in Paragraph (9) of this Subsection.

25 \* \* \*

26 (9)(a) Provide the process for Internet publication of provider and health plan  
27 specific cost, quality, and performance data collected pursuant to this Part for access  
28 and use by a consumer or requesting entity. At minimum, this data shall include all  
29 of the following items:

- 1            (i) Healthcare quality information that is easily understandable by the  
2            average consumer and is published in a format that allows the user to compare such  
3            information across providers to the extent practicable.
- 4            (ii) Data related to payments for health services rendered by healthcare  
5            facilities and practitioners published in an interactive format from which the user can  
6            generate reports of such data.
- 7            (iii) Data identifying at least fifteen of the most commonly used diagnosis  
8            codes, at least fifteen of the most commonly used procedure codes, and any  
9            emerging health trends for diagnosis and treatment related to hospitalization. The  
10           department shall publish this data in a format that facilitates comparison of the data  
11           from hospitals and other licensed health facilities of this state to similar data for  
12           medical care rendered in other states, to the extent that such data is available.
- 13           (iv) A list of the hospitals and other licensed health facilities that are in  
14           compliance with the reporting requirements promulgated by the department, and a  
15           list of the hospitals and other licensed health facilities that are not in compliance with  
16           such requirements.
- 17            (b) The department shall update the information provided for in this  
18            Paragraph at least annually.

\* \* \*

20        Section 2. R.S. 40:1300.113(B) is hereby repealed in its entirety.

21        Section 3. On or before December 1, 2015, the Department of Health and Hospitals  
22 shall promulgate all rules in accordance with the Administrative Procedure Act as are  
23 necessary to provide for online publication of data related to health services as specified in  
24 Section 1 of this Act.

## 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)]

HB 498 Original

2015 Regular Session

Talbot

**Abstract:** Provides for transparency in health services pricing and healthcare quality measures through requirements for the Dept. of Health and Hospitals to publish online certain data on health services.

Present law known as the Louisiana Health Care Consumers' Right to Know, R.S. 40:1300.111 et seq., provides for duties of the Dept. of Health and Hospitals (DHH) relative to collecting and maintaining healthcare cost, quality, and performance data; and provides guidelines, requirements, and restrictions pertaining to the use of such data.

Proposed law adds a provision indicating that the intent of present law and proposed law is to improve transparency in prices and care quality measures by providing for the creation and maintenance of a useful and comprehensive health service information database that can be publicly accessed in a manner that ensures protection of individuals' confidential health information and respects providers of care.

Proposed law adds the following as specific data that DHH is required to collect and publish online pursuant to the Louisiana Health Care Consumers' Right to Know law:

- (1) Healthcare quality information that is easily understandable and published in a format that allows the user to compare information across providers to the extent practicable.
- (2) Data related to payments for health services rendered by healthcare facilities and practitioners published in an interactive format from which the user can generate reports.
- (3)(a) Data identifying the following:
  - (i) At least 15 of the most commonly used diagnosis codes.
  - (ii) At least 15 of the most commonly used procedure codes.
  - (iii) Any emerging health trends for diagnosis and treatment related to hospitalization.
- (b) Proposed law requires DHH to publish this data in a format that facilitates comparison of the data from hospitals and other licensed health facilities of this state to similar data for medical care rendered in other states, to the extent that such data is available.
- (4)(a) A list of the hospitals and other licensed health facilities that are in compliance with the reporting requirements promulgated by DHH.
- (b) A list of the hospitals and other licensed health facilities that are not in compliance with the reporting requirements promulgated by DHH.

Proposed law requires DHH to update the information it collects and publishes pursuant to proposed law at least annually.

Proposed law repeals present law providing that if sufficient funds are not appropriated to implement present law, the application of present law shall be suspended pending the appropriation of sufficient funds; and that in such case all accumulated healthcare data shall be stored with appropriate confidentiality safeguards, destroyed, or transferred to another agency or organization in accordance with present law.

Proposed law requires DHH to promulgate all rules as are necessary to provide for online publication of data related to health services as specified in proposed law on or before Dec. 1, 2015.

(Amends R.S. 40:1300.111 and 1300.113(A)(intro. para.), (1), and (9); Repeals R.S. 40:1300.113(B))