

ACT No. 338

2015 Regular Session

HOUSE BILL NO. 498

BY REPRESENTATIVES TALBOT AND WILLMOTT

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

22 (2) Due to the rapidly expanding availability of and access to patient
23 sensitive ~~health-care~~ healthcare data, it is necessary to establish safeguards which
24 ensure the level of protection of patient encounter data that Louisiana citizens

1 deserve, and which protect the privacy of health information comprising data sets
2 that are reported and disseminated to improve the population health of this state.

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

8 * * *

9 §1300.113. Data collection; powers and duties of the Department of Health and
10 Hospitals

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

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

20 * * *

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

25 (i) Healthcare quality information that is easily understandable by the
26 average consumer and is published in a format that allows the user to compare such
27 information across providers to the extent practicable.

28 (ii) Data related to payments for health services rendered by healthcare
29 facilities and practitioners published in an interactive format from which the user can
30 generate reports of such data.

1 (iii) Data identifying at least fifteen of the most commonly used diagnosis
 2 codes, at least fifteen of the most commonly used procedure codes, and any
 3 emerging health trends for diagnosis and treatment related to hospitalization. The
 4 department shall publish this data in a format that facilitates comparison of the data
 5 from hospitals and other licensed health facilities of this state to similar data for
 6 medical care rendered in other states, to the extent that such data is available.

7 (iv) A list of the hospitals and other licensed health facilities that are in
 8 compliance with the reporting requirements promulgated by the department, and a
 9 list of the hospitals and other licensed health facilities that are not in compliance with
 10 such requirements.

11 (b) The department shall update the information provided for in this
 12 Paragraph at least annually.

13 * * *

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

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____