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SENATE BILL NO. 340—SENATORS BREEDEN AND WIENERMARCH 21, 2011

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Referred to Committee on Health and Human Services

**SUMMARY**—Revises provisions relating to programs to increase public awareness of health care information.  
(BDR 40-663)

**FISCAL NOTE:** Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets [omitted material] is material to be omitted.

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AN ACT relating to public health; requiring hospitals and surgical centers for ambulatory patients to report certain information relating to physicians who perform surgical procedures; requiring the Department of Health and Human Services to post on an Internet website certain information relating to physicians who perform surgical procedures; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1       **Sections 1 and 2** of this bill require hospitals and surgical centers for  
2 ambulatory patients to report certain data concerning the names of physicians who  
3 perform surgical procedures and other data relating to those surgical procedures to  
4 the programs to increase public awareness of health care information. **Section 3** of  
5 this bill requires the Department of Health and Human Services to post that  
6 information on an Internet website. Existing law authorizes the Department to seek  
7 injunctive relief or civil penalties against facilities that violate the reporting  
8 requirements. (NRS 439A.300, 439A.310)

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1       **Section 1.** NRS 439A.220 is hereby amended to read as  
2 follows:  
3       439A.220   1. The Department shall establish and maintain a  
4 program to increase public awareness of health care information



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1 concerning the hospitals in this State. The program must be  
2 designed to assist consumers with comparing the quality of care  
3 provided by the hospitals in this State and the charges for that care.

4     2. The program must include, without limitation, the collection,  
5 maintenance and provision of information concerning:

6         (a) Inpatients and outpatients of each hospital in this State as  
7 reported in the forms submitted pursuant to NRS 449.485;

8         (b) The quality of care provided by each hospital in this State as  
9 determined by applying uniform measures of quality prescribed by  
10 the Department pursuant to NRS 439A.230;

11         (c) How consistently each hospital follows recognized practices  
12 to prevent the infection of patients, to speed the recovery of patients  
13 and to avoid medical complications of patients;

14         (d) For each hospital, the total number of patients discharged,  
15 the average length of stay and the average billed charges, reported  
16 for the 50 most frequent diagnosis-related groups for inpatients and  
17 50 medical treatments for outpatients that the Department  
18 determines are most useful for consumers; ~~and~~

19         (e) *For each hospital, the name of each physician who  
20 performed a surgical procedure in the hospital and the total  
21 number of surgical procedures performed by the physician,  
22 reported by diagnosis-related group if the information is available  
23 and by principal diagnosis, principal surgical procedure and  
24 secondary surgical procedure; and*

25         (f) Any other information relating to the charges imposed and  
26 the quality of the services provided by the hospitals in this State  
27 which the Department determines is:

- 28             (1) Useful to consumers;  
29             (2) Nationally recognized; and  
30             (3) Reported in a standard and reliable manner.

31     3. As used in this section, "diagnosis-related group" means  
32 groupings of medical diagnostic categories used as a basis for  
33 hospital payment schedules by Medicare and other third-party health  
34 care plans.

35     **Sec. 2.** NRS 439A.240 is hereby amended to read as follows:

36     439A.240     1. The Department shall establish and maintain a  
37 program to increase public awareness of health care information  
38 concerning the surgical centers for ambulatory patients in this State.  
39 The program must be designed to assist consumers with comparing  
40 the quality of care provided by the surgical centers for ambulatory  
41 patients in this State and the charges for that care.

42     2. The program must include, without limitation, the collection,  
43 maintenance and provision of information concerning:



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1       (a) The charges imposed on outpatients by each surgical center  
2 for ambulatory patients in this State as reported in the forms  
3 submitted pursuant to NRS 439A.250;

4       (b) The quality of care provided by each surgical center for  
5 ambulatory patients in this State as determined by applying uniform  
6 measures of quality prescribed by the Department pursuant to  
7 NRS 439A.250;

8       (c) How consistently each surgical center for ambulatory  
9 patients follows recognized practices to prevent the infection of  
10 patients, to speed the recovery of patients and to avoid medical  
11 complications of patients;

12     (d) For each surgical center for ambulatory patients, the total  
13 number of patients discharged and the average billed charges,  
14 reported for 50 medical treatments for outpatients that the  
15 Department determines are most useful for consumers; **[and]**

16     (e) *For each surgical center for ambulatory patients, the name  
17 of each physician who performed a surgical procedure in the  
18 surgical center for ambulatory patients and the total number of  
19 surgical procedures performed by the physician, reported by type  
20 of medical treatment, principal diagnosis and, if the information is  
21 available, by principal surgical procedure and secondary surgical  
22 procedure; and*

23     (f) Any other information relating to the charges imposed and  
24 the quality of the services provided by the surgical centers for  
25 ambulatory patients in this State which the Department determines  
26 is:

- 27           (1) Useful to consumers;
- 28           (2) Nationally recognized; and
- 29           (3) Reported in a standard and reliable manner.

30     **Sec. 3.** NRS 439A.270 is hereby amended to read as follows:

31     439A.270 1. The Department shall establish and maintain an  
32 Internet website that includes the information concerning the  
33 charges imposed and the quality of the services provided by the  
34 hospitals and surgical centers for ambulatory patients in this State as  
35 required by the programs established pursuant to NRS 439A.220  
36 and 439A.240. The information must:

37     (a) Include, for each hospital in this State, the **[total]** :

38      (1) *Total* number of patients discharged, the average length  
39 of stay and the average billed charges, reported for the 50 most  
40 frequent diagnosis-related groups for inpatients and 50 medical  
41 treatments for outpatients that the Department determines are most  
42 useful for consumers; **and**

43      (2) *Name of each physician who performed a surgical  
44 procedure in the hospital and the total number of surgical  
45 procedures performed by each physician in the hospital, reported*



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1    ***for the most frequent surgical procedures that the Department  
2    determines are most useful for consumers;***

3        (b) Include, for each surgical center for ambulatory patients in  
4    this State, the [total]:

5              (1) **Total** number of patients discharged and the average  
6    billed charges, reported for 50 medical treatments for outpatients  
7    that the Department determines are most useful for consumers; **and**

8              (2) **Name of each physician who performed a surgical  
9    procedure in the surgical center for ambulatory patients and the  
10   total number of surgical procedures performed by each physician  
11   in the surgical center for ambulatory patients, reported for the  
12   most frequent surgical procedures that the Department determines  
13   are most useful for consumers;**

14        (c) Be presented in a manner that allows a person to view and  
15   compare the information for the hospitals by:

16              (1) Geographic location of each hospital;

17              (2) Type of medical diagnosis; and

18              (3) Type of medical treatment;

19        (d) Be presented in a manner that allows a person to view and  
20   compare the information for the surgical centers for ambulatory  
21   patients by:

22              (1) Geographic location of each surgical center for  
23   ambulatory patients;

24              (2) Type of medical diagnosis; and

25              (3) Type of medical treatment;

26        (e) Be presented in a manner that allows a person to view and  
27   compare the information separately for:

28              (1) The inpatients and outpatients of each hospital; and

29              (2) The outpatients of each surgical center for ambulatory  
30   patients;

31        (f) Be readily accessible and understandable by a member of the  
32   general public;

33              (g) Include the annual summary of reports of sentinel events  
34   prepared pursuant to paragraph (d) of subsection 1 of NRS 439.840;  
35   and

36        (h) Provide any other information relating to the charges  
37   imposed and the quality of the services provided by the hospitals  
38   and surgical centers for ambulatory patients in this State which the  
39   Department determines is:

40              (1) Useful to consumers;

41              (2) Nationally recognized; and

42              (3) Reported in a standard and reliable manner.

43        2. The Department shall:

44              (a) Publicize the availability of the Internet website;



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1       (b) Update the information contained on the Internet website at  
2 least quarterly;

3       (c) Ensure that the information contained on the Internet website  
4 is accurate and reliable;

5       (d) Ensure that the information contained on the Internet website  
6 is aggregated so as not to reveal the identity of a specific inpatient or  
7 outpatient of a hospital;

8       (e) Post a disclaimer on the Internet website indicating that the  
9 information contained on the website is provided to assist with the  
10 comparison of hospitals and is not a guarantee by the Department or  
11 its employees as to the charges imposed by the hospitals in this State,  
12 or the quality of the services provided by the hospitals in this State,  
13 including, without limitation, an explanation that the actual amount  
14 charged to a person by a particular hospital may not be the same  
15 charge as posted on the website for that hospital;

16       (f) Provide on the Internet website established pursuant to this  
17 section a link to the Internet website of the Centers for Medicare and  
18 Medicaid Services of the United States Department of Health and  
19 Human Services; and

20       (g) Upon request, make the information that is contained on the  
21 Internet website available in printed form.

22       3. As used in this section, "diagnosis-related group" means  
23 groupings of medical diagnostic categories used as a basis for  
24 hospital payment schedules by Medicare and other third-party health  
25 care plans.







