

2009 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB614)

Received: **02/05/2010**

Received By: **rryan**

Wanted: **As time permits**

Identical to LRB:

For: **Jon Richards (608) 266-0650**

By/Representing: **Jeff Kostelic**

This file may be shown to any legislator: **NO**

Drafter: **rryan**

May Contact:

Addl. Drafters:

Subject: **Health - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Richards@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Health care provider disclosure of quality data

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rryan 02/05/2010	nmatzke 02/08/2010		_____			
/1			jfrantze 02/08/2010	_____	lparisi 02/08/2010	lparisi 02/08/2010	
/2	rryan 02/08/2010	nmatzke 02/08/2010	jfrantze 02/08/2010	_____	cduerst 02/08/2010	cduerst 02/08/2010	

FE Sent For:

<END>

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/?	rryan 02/05/2010	nmatzke 02/08/2010					
/1		1/2 nwn 2/8	jfrantze 02/08/2010		lparisi 02/08/2010	lparisi 02/08/2010	

FE Sent For:

Handwritten signatures and initials: jfrantze, lparisi, nwn, 2/8, <END>, 2/8

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/?	rryan	1 nwn 2/5	J 2/8	M PH 2/8			

FE Sent For:

<END>

Ryan, Robin

From: Kostelic, Jeff
Sent: Friday, February 05, 2010 9:41 AM
To: Ryan, Robin
Subject: RE: Two really quick questions

Robin,

Since LRB 1446 was introduced as AA1 to ASA1 it will be necessary to draft a new amendment to ASA1 to reflect the changes noted below, correct? If so, could you please draft that amendment?

Rep. Richards wanted to move forward on Wednesday with AA1 but decided to pull back at the last minute.

Please let me know if this is a problem or if you need additional information.

Thanks.

Jeff

From: Ryan, Robin
Sent: Tuesday, February 02, 2010 2:49 PM
To: Kostelic, Jeff
Subject: RE: Two really quick questions

1. Should change "and" to "or"
2. Should specify that the information has already been released to the public.

Assuming you want to redraft, when do you need it, and should 1146 still be an amendment to the LRB number of the sub or will you soon have the sub introduced?

robin

From: Kostelic, Jeff
Sent: Tuesday, February 02, 2010 2:45 PM
To: Ryan, Robin
Subject: Two really quick questions

Robin,

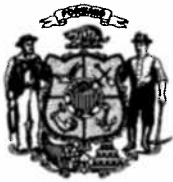
Thank you for drafting 1446. Two questions have come up. First, on page 1, line 4 it states "...health care providers and hospitals...". Should that be changed to "or" because it is possible that there are health care information organizations that only collect information from providers, but not hospitals or just from hospitals and not providers? Or can "and" be interpreted as "or" in some circumstances?

We wanted this amendment to only require the release of information that has previously been made publically available. Is that the way its written or do we need to add the words "publically" before "reported" on page 3, line 5 (and other areas where appropriate), or does "reported" imply that it has been made public? We don't want to compel hospitals and providers to release information that was collected for their own internal quality control purposes and "reported" back to only the hospital or provider.

Please let me know what you think of these possible changes.

Thank you.

Jeff



Monday by noon

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 614**

February 2, 2010 - Offered by Representative RICHARDS.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 4, line 6: after that line insert:

3 “(br) “Health care information organization” means an organization that
4 gathers data from health care providers ^{or} ~~and~~ hospitals regarding utilization and
5 quality of health care services and that produces reports on the comparative quality
6 of health care services provided by health care providers or hospitals.”

IWS
1-6

7 **2.** Page 5, line 24: after that line insert:

public

8 “(am) A health care provider that submits data to a health care information
9 organization shall, when it makes a disclosure to a consumer under par. (a), provide
10 the consumer any [✓] information reported by the health care information organization
11 regarding the quality of health care services provided by the health care provider
12 compared to the quality of health care services provided by other health care

1 providers that is relevant to the health care service, diagnostic test, or procedure
 2 specified by the consumer under par. (a). If the health care provider submits data
 3 to more than one health care information organization and more than one of the
 4 health care information organizations reports to the health care provider
 5 comparative quality information that is relevant to the health care service,
 6 diagnostic test, or procedure, the health care provider is required under this
 7 paragraph to provide the consumer information reported by only one of the health
 8 care information organizations.”

public information on

3. Page 6, line 8: after that line insert:

9
 10 “(bm) A health care provider that submits data to a health care information
 11 organization shall include with the document required under par. (b) any
 12 information reported by the health care information organization regarding the
 13 quality of health care services provided by the health care provider compared to the
 14 quality of health care services provided by other health care providers that is
 15 relevant to a presenting condition for which the provider is required to list charge
 16 information under par. (b). If the health care provider submits data to more than one
 17 health care information organization and more than one of the health care
 18 information organizations reports to the health care provider comparative quality
 19 information that is relevant to a presenting condition, the health care provider is
 20 required under this paragraph to include information reported by only one of the
 21 health care information organizations for the presenting condition.”

public (use 2x)

4. Page 6, line 11: after “par. (b)” insert “and the information described under
 par. (bm)”.

public

public information on

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1481/lins
RLR:.....

1 **Ins 1-6:**

2 **1.** Page 5, line 2: after that line insert:

3 “(g) “Public information” means information that any person may access from
4 a health care information organization, regardless of whether the organization
5 charges a fee for the information.”.

6

Ryan, Robin

From: Kostelic, Jeff
Sent: Monday, February 08, 2010 10:46 AM
To: Ryan, Robin
Subject: Additional information for amendment

Robin,

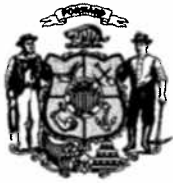
Jon would like to add some language to the amendment you are drafting that would allow a provider to comply with the quality disclosure provision by providing a web site link rather than a comprehensive print out of the quality measures. Dick Sweet identified the changes he thinks would be necessary to make this modification. Please let me know if you need additional information. Here is what Dick wrote:

If Jon is amenable to doing that, he could add something like the following language on page 3, line 10 of the am. to the sub., just before the period--" or a link to the health care information organization's Web site that contains this comparative quality information". The second sentence could be amended to add " , or a Web site link for," on page 3, line 14 after "by". On lines 16 and 18, "or Web site link" could be added after "information".

Thank you and sorry for the late notice.

Jeff
266-0650

*Refers to
AA 1
(a1446/1)*



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa1481A²
RLR:wnw&kjf:jf

Now

RMR

ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 614

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 4, line 6: after that line insert:

3 “(br) “Health care information organization” means an organization that
4 gathers data from health care providers or hospitals regarding utilization and
5 quality of health care services and that produces reports on the comparative quality
6 of health care services provided by health care providers or hospitals.”.

7 **2.** Page 5, line 2: after that line insert:

8 “(g) “Public information” means information that any person may access from
9 a health care information organization, regardless of whether the organization
10 charges a fee for the information.”.

11 **3.** Page 5, line 24: after that line insert:

INS 2-7

make available to

1 “(am) A health care provider that submits data to a health care information
 2 organization shall, when it makes a disclosure to a consumer under par. (a), provide
 3 the consumer any public information reported by the health care information
 4 organization regarding the quality of health care services provided by the health care
 5 provider compared to the quality of health care services provided by other health care
 6 providers that is relevant to the health care service, diagnostic test, or procedure
 7 specified by the consumer under par. (a). If the health care provider submits data
 8 to more than one health care information organization and more than one of the
 9 health care information organizations reports to the health care provider public
 10 information on comparative quality that is relevant to the health care service,
 11 diagnostic test, or procedure, the health care provider is required under this
 12 paragraph to provide the consumer public information reported by only one of the
 13 health care information organizations.”

make available to

4. Page 6, line 8: after that line insert:

make available

15 “(bm) A health care provider that submits data to a health care information
 16 organization shall include with the document required under par. (b) any public
 17 information reported by the health care information organization regarding the
 18 quality of health care services provided by the health care provider compared to the
 19 quality of health care services provided by other health care providers that is
 20 relevant to a presenting condition for which the provider is required to list charge
 21 information under par. (b). If the health care provider submits data to more than one
 22 health care information organization and more than one of the health care
 23 information organizations reports to the health care provider public information on
 24 comparative quality that is relevant to a presenting condition, the health care

INS 2-21

1 provider is required under this paragraph to include public information reported by
2 only one of the health care information organizations for the presenting condition.” ✓

make available

3 **5.** Page 6, line 11: after “par. (b)” insert “and the information described under
4 par. (bm)”.

5 **6.** Page 6, line 22: after “(b)” insert “and, if applicable, the information
6 described under par. (bm)”.

7 **7.** Page 7, line 15: after that line insert:

make available

8 “(am) A hospital that submits data to a health care information organization
9 shall include with the document required under par. (a) any public information
10 reported by the health care information organization regarding the quality of health
11 care services provided by the hospital compared to the quality of health care services
12 provided by other hospitals that is relevant to a diagnosis related group or outpatient
13 surgical procedure for which the hospital is required to list charge information under
14 par. (a). If a hospital submits data to more than one health care information
15 organization and more than one of the health care information organizations reports
16 to the hospital public information on comparative quality that is relevant to a
17 diagnosis related group or outpatient surgical procedure, the hospital is required
18 under this paragraph to include public information reported by only one of the health
19 care information organizations for the diagnosis related group or outpatient surgical
20 procedure.”.

JMS
3-14

21 **8.** Page 7, line 17: after “par. (a)” insert “and the information described under
22 par. (am)”.

make available

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1481/2ins
RLR:.....

1

2

3

Ins 2-7: A health care provider[✓] may make the information available to the
consumer[✓] by providing the consumer a paper copy of the information or by providing
the consumer the address of an Internet site where the information is posted.[✓]

6

7

8

Ins 2-21: A health care provider[✓] may make the information available by
attaching it to the document[✓] or by including the address of an Internet site where the
information is posted with the document.[✓]

10

11

12

Ins 3-14: A hospital[✓] may make the information available by attaching it to the
document[✓] or by including the address of an Internet site where the information is
posted with the document.[✓]

13

14