ASSEMBLY AMENDMENT 14,

TO 1997 SENATE BILL 315

March 3, 1998 – Offered by Representative MEYER.

1   At the locations indicated, amend the bill, as shown by senate substitute
2 amendment 1, as follows:

3   **1.** Page 11, line 22: after "153.35" insert ". If recommended by the board,
4 reports under this paragraph may include performance evaluations of health care
5 provider quality and service effectiveness for selected medical or surgical procedures
6 or treatments. The reports shall use appropriate risk–adjustment methodologies
7 and may not identify health care providers other than hospitals and ambulatory
8 surgery centers".

9   **2.** Page 12, line 1: delete "data files which do" and substitute "which do data
10 files that provide information on health expenditures, utilization trends, volume and
11 risk–adjusted outcome measures. These data files may".

12   **3.** Page 12, line 7: delete that line and substitute:

1   "153.45 **(1)** (c) ~~Custom–designed subfile tapes, other electronic media, special~~

2   <u>Special</u>".

3   **4.** Page 12, line 9: after "(b)." insert "<u>These compilations or reports may not</u>

4   <u>permit the identification of specific patients, employers or health care providers,</u>

5   <u>except that the health care provider or a person granted permission for release by the</u>

6   <u>health care provider may obtain data that identifies the requesting health care</u>

7   <u>provider and the employer or a person granted permission for release by the</u>

8   <u>employer may obtain data that identifies the requesting employer.</u>".

9   **5.** Page 12, line 10: delete lines 10 to 15 and substitute:

10   "**SECTION 45m.** 153.45 (3) of the statutes, as affected by 1997 Wisconsin Act 27,

11   is repealed.".

12   **6.** Page 12, line 24: after that line insert:

13   "**SECTION 47x.** 153.50 (title) of the statutes is amended to read:

14   **153.50** (title) **Protection of patient <u>and health care provider</u>**

15   **confidentiality.**".

16   **7.** Page 13, line 1: after ", is" insert "renumbered 153.50 (1) and".

17   **8.** Page 13, line 3: delete "**153.50 Protection of patient confidentiality.**"

18   and substitute "153.50 **(1)**".

19   **9.** Page 13, line 10: after that line insert:

20   "**SECTION 48b.** 153.50 (2) and (3) of the statutes are created to read:

21   153.50 **(2)** Health care provider–identifiable data obtained under this chapter

22   is not subject to inspection, copying or receipt under s. 19.35 (1) and, except as

23   provided in s. 153.45 (1) (a), may not be released, except to the health care provider

24   or a person granted permission for release by the health care provider.

1   **(3)** Employer–identifiable data obtained under this chapter is not subject to

2   inspection, copying or receipt under s. 19.35 (1) and, except as provided in s. 153.45

3   (1) (a), may not be released, except to the employer or a person granted permission

4   for release by the employer.".

5   **10.** Page 15, line 3: after that line insert:

6   "**SECTION 52t.** 153.75 (1) (a) of the statutes is amended to read:

7   153.75 **(1)** (a) Providing procedures to ensure the protection of patient<u>, health</u>

8   <u>care provider and employer</u> confidentiality under s. 153.50.".

9   **11.** Page 15, line 9: after "(e)," insert "(f),".

10   **12.** Page 15, line 10: delete "(f),".

11   **13.** Page 15, line 11: delete lines 11 and 12.

12   **14.** Page 15, line 13: delete "(k)" and substitute "153.75 **(1)** (k)".

13   **15.** Page 16, line 18: after that line insert:

14   "**SECTION 59m.** 153.85 of the statutes is amended to read:

15   **153.85 Civil liability.** Any person violating s. 153.50 <u>(1), (2) or (3)</u> or rules

16   promulgated under s. 153.75 (1) (a) is liable to the patient<u>, health care provider or</u>

17   <u>employer</u> for actual damages and costs, plus exemplary damages of up to $1,000 for

18   a negligent violation and up to $5,000 for an intentional violation.".

19   **16.** Page 16, line 20: after "153.50" insert "<u>(1), (2) or (3)</u>".

20   **(END)**