

State of Wisconsin



2015 Senate Bill 628

Date of enactment: **March 30, 2016**

Date of publication*: **March 31, 2016**

2015 WISCONSIN ACT 287

AN ACT *to amend* 153.05 (8) (b), 153.46 (1) (c) (intro.), 153.50 (3) (b) 1. and 153.50 (6) (a); and *to create* 153.46 (7), 153.46 (8), 153.50 (1) (b) 1r. and 153.50 (6) (am) of the statutes; **relating to:** collection of health care information.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 153.05 (8) (b) of the statutes is amended to read:

153.05 (8) (b) Unless sub. (13) applies, the entity under contract under sub. (2m) (a) shall collect, analyze, and disseminate, in language that is understandable to laypersons, claims information and other health care information, as adjusted for case mix and severity, under the provisions of this subchapter, from hospitals and ambulatory surgery centers. In addition to the information required to be submitted under sub. (1) (b), hospitals and ambulatory surgery centers shall submit for each patient to the entity under contract under sub. (2m) (a) all data elements specified by the entity that are contained in the applicable American National Standards Institute 837 format used for electronic data interchange or in a successor format specified by the entity. Data from hospitals and ambulatory surgery centers may be obtained through sampling techniques in lieu of collection of data on all patient encounters, and data collection procedures shall minimize unnecessary duplication and administrative burdens.

SECTION 2. 153.46 (1) (c) (intro.) of the statutes is amended to read:

153.46 (1) (c) (intro.) Custom–designed reports containing portions of the data under par. (b). Reports under

this paragraph may include the patient’s zip code or U.S. bureau of the census census tract or block group only if at least one of the following applies:

SECTION 3. 153.46 (7) of the statutes is created to read:

153.46 (7) Any required distributions of reports by the entity under contract under s. 153.05 (2m) (a) may be fulfilled by providing an electronic copy of the report, unless the requesting person specifically requests a paper copy.

SECTION 4. 153.46 (8) of the statutes is created to read:

153.46 (8) The entity under contract under s. 153.05 (2m) (a) shall notify each physician with a license from this state who appears in the facility–submitted data that the physician has the opportunity to review that data. The entity may fulfill this notification requirement by providing a notice on the entity’s Internet site and providing a procedure to make a request to the entity to review the data. The physician review process shall occur concurrently with the facility review process.

SECTION 5. 153.50 (1) (b) 1r. of the statutes is created to read:

153.50 (1) (b) 1r. “Patient–identifiable data” does not include data elements that identify a patient’s race or ethnicity.

SECTION 6. 153.50 (3) (b) 1. of the statutes is amended to read:

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication.”

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153.50 (3) (b) 1. The patient's name and street address, except as provided under sub. (6) (am).

SECTION 7. 153.50 (6) (a) of the statutes is amended to read:

153.50 (6) (a) The department or entity under contract under s. 153.05 (2m) (a) may not require a health care provider submitting health care information under this subchapter to include the patient's name, ~~street address~~ or social security number, and the department may not require a health care provider submitting health care information under this subchapter to include the patient's street address.

SECTION 8. 153.50 (6) (am) of the statutes is created to read:

153.50 (6) (am) Hospitals or ambulatory surgery centers shall submit the patient's street address to the entity under contract under s. 153.05 (2m) (a) as directed by the entity. The entity may only use the street address to create a calculated variable that does not identify a patient's address or to convert the data element to the corresponding U.S. bureau of the census census tract and block group. The entity shall destroy the street address information upon the creation of the variable or upon the conversion to the census tract and block group.