

Amendment No. 327

Senate Amendment to Senate Bill No. 340 (BDR 40-663)

Proposed by: Senate Committee on Health and Human Services**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) ~~orange double underlining~~ is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold underlining*** is newly added transitory language.

LJM/RBL



Date: 4/18/2011

S.B. No. 340—Revises provisions relating to programs to increase public awareness of health care information. (BDR 40-663)



SENATE BILL NO. 340—SENATORS BREEDEN AND WIENER

MARCH 21, 2011

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.

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:

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

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

Section 1. NRS 439A.220 is hereby amended to read as follows:
439A.220 1. The Department shall establish and maintain a program to increase public awareness of health care information concerning the hospitals in this State. The program must be designed to assist consumers with comparing the quality of care provided by the hospitals in this State and the charges for that care.
2. The program must include, without limitation, the collection, maintenance and provision of information concerning:
(a) Inpatients and outpatients of each hospital in this State as reported in the forms submitted pursuant to NRS 449.485;
(b) The quality of care provided by each hospital in this State as determined by applying uniform measures of quality prescribed by the Department pursuant to NRS 439A.230;

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

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

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

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

(1) Useful to consumers;

(2) Nationally recognized; and

(3) Reported in a standard and reliable manner.

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

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

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

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

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

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

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

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

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

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

(1) Useful to consumers;

(2) Nationally recognized; and

(3) Reported in a standard and reliable manner.

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

2 439A.270 1. The Department shall establish and maintain an Internet
3 website that includes the information concerning the charges imposed and the
4 quality of the services provided by the hospitals and surgical centers for ambulatory
5 patients in this State as required by the programs established pursuant to NRS
6 439A.220 and 439A.240. The information must:

7 (a) Include, for each hospital in this State, the ~~total~~ :

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

12 ***(2) Name of each physician who performed a surgical procedure in the***
13 ***hospital and the total number of surgical procedures performed by each***
14 ***physician in the hospital, reported for the most frequent surgical procedures that***
15 ***the Department determines are most useful for consumers;***

16 (b) Include, for each surgical center for ambulatory patients in this State, the
17 ~~total~~ :

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

21 ***(2) Name of each physician who performed a surgical procedure in the***
22 ***surgical center for ambulatory patients and the total number of surgical***
23 ***procedures performed by each physician in the surgical center for ambulatory***
24 ***patients, reported for the most frequent surgical procedures that the Department***
25 ***determines are most useful for consumers;***

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

- 28 (1) Geographic location of each hospital;
29 (2) Type of medical diagnosis; and
30 (3) Type of medical treatment;

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

- 33 (1) Geographic location of each surgical center for ambulatory patients;
34 (2) Type of medical diagnosis; and
35 (3) Type of medical treatment;

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

- 38 (1) The inpatients and outpatients of each hospital; and
39 (2) The outpatients of each surgical center for ambulatory patients;

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

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

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

- 47 (1) Useful to consumers;
48 (2) Nationally recognized; and
49 (3) Reported in a standard and reliable manner.

50 2. The Department shall:

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

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

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

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

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

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

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

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