

Bill No. CS for SB 1848

Amendment No. Barcode 601616

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Brown-Waite moved the following amendment:

Senate Amendment

On page 2, lines 11-29, delete those lines

and insert:

Section 2. The Legislature finds that it is a public necessity to protect the identity of claimants, nursing homes and assisted living facilities in the monthly reporting of claims to the Agency for Health Care Administration. The monthly reports detail the names of claimants and facilities, the alleged type of injury or violation and dates of occurrence. Such claims are preliminary allegations that may not possess merit. The availability of such unverified, preliminary claims may serve to adversely affect facility admissions, ownership value, ability to obtain financing, ability to retain staff, and business reputation. Such negative impacts on a facility, based upon raw data that has not been verified, may limit the facility's ability to provide the best care to its residents, potentially affecting quality of care. The Legislature finds that it is not in the best

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1 interests of the claimants and facilities to make such
2 sensitive information publicly available. Claimants will be
3 forced to choose between either filing a claim regarding a
4 facility to protect their rights, or alternatively, maintain
5 their privacy regarding long-term care provided to themselves
6 or a relative. The Legislature finds that the public will have
7 the benefit of aggregated facility claims data by access to
8 the agency's annual reports on long-term care claims to the
9 Legislature, presented on a by-county basis. The Legislature
10 also finds that those claims with sufficient merit to result
11 in a formal legal complaint filed in a court of law, will as
12 well be public information. Accordingly, the Legislature finds
13 that the harm to facility residents and facilities due to the
14 release of preliminary claims substantially outweighs any
15 minimal public benefit derived therefrom.

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