

By Representative Bowen

1 A bill to be entitled
2 An act relating to health care; creating the
3 "Patient Safety Improvement Act"; providing
4 legislative intent and definitions; creating
5 the Florida Patient Safety Center; providing
6 for location and duties of the center;
7 requiring identifying information in medical
8 patient records to remain confidential as
9 provided by law; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Patient safety improvement.--

14 (1) SHORT TITLE.--This section may be cited as the
15 "Patient Safety Improvement Act."

16 (2) INTENT.--It is the intent of the Legislature to
17 establish a statewide, academically based center that will
18 serve as the designated resource for patient-safety-related
19 research, education, and policy information for the people and
20 institutions of Florida.

21 (3) DEFINITIONS.--As used in this section:

22 (a) "Center" means the Florida Center for Patient
23 Safety.

24 (b) "Health care provider" means any physician, nurse,
25 pharmacist, occupational therapist, physical therapist,
26 hospital, or other institution, organization, or person that
27 furnishes health care services and is licensed or otherwise
28 authorized to practice or provide health care services in the
29 state.

30 (c) "Nonidentifying patient safety data" means patient
31 safety data that are presented in a form and manner that

1 prevents the identification of the health care provider or
2 patient.
3 (d) "Patient safety data" means:
4 1. Any data, reports, records, memoranda, analyses, or
5 other quality improvement processes of patient safety events
6 which are:
7 a. Collected or developed by a health care provider;
8 b. Reported to a patient safety organization or the
9 State Patient Safety Database;
10 c. Contained in or collected by a patient safety
11 organization or the State Patient Safety Database;
12 d. Requested by a patient safety organization for the
13 purposes of monitoring, researching, or improving patient
14 safety; or
15 e. Reported to a health care provider by a patient
16 safety organization to assist with quality improvement and
17 patient safety effectiveness.
18 2. Any information related to corrective actions taken
19 in response to patient safety events listed in subparagraph 1.
20 (e) "Patient safety event" means an event over which a
21 health care provider could exercise control and which is
22 associated in whole or in part with medical intervention,
23 rather than the condition for which such intervention
24 occurred, and which could result in patient injury or death or
25 any other adverse incident as defined in s. 395.0197, Florida
26 Statutes.
27 (f) "Patient safety organization" means a public or
28 private organization that does all of the following:
29 1. Collects and analyzes data or information about
30 patient safety.
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1 2. Reports nonidentifying patient safety data to the
2 State Patient Safety Database.

3 3. Provides direct feedback of patient safety data to
4 health care providers.

5 (4) FLORIDA CENTER FOR PATIENT SAFETY.--

6 (a) There is created the Florida Center for Patient
7 Safety to carry out the duties described in this section. The
8 center shall be administratively housed and located at the
9 Health Sciences Center of the University of South Florida in
10 Tampa.

11 (b) The center is authorized to:

12 1. Coordinate public and private resources to conduct
13 and support research in and demonstrations and evaluations of
14 patient safety.

15 2. Conduct and support research on effective ways to
16 improve and enhance patient safety and participate in the
17 dissemination of the information that is derived from such
18 research to health care providers in training and in practice,
19 health care institutions, patients and their families, and
20 policymakers.

21 3. Evaluate methods for identifying and promoting
22 patient safety programs.

23 4. Support dissemination and communication activities
24 to improve and enhance patient safety.

25 5. Design, conduct, and coordinate studies and surveys
26 to assess aspects of patient safety, including, but not
27 limited to, various clinical, social, and economic outcome or
28 process measures.

29 6. Develop and test measures and methods for
30 evaluating and enhancing patient safety and promote the use of
31 such measures and methods in practice.

1 7. Provide technical assistance and gather information
2 on the use of consumer and patient information, and report on
3 patient safety and the resulting effects of intervention
4 policies.

5 8. Consult with and develop partnerships, as
6 appropriate, with all segments of the health care industry,
7 including health care providers and health care consumers.

8 9. Establish a State Patient Safety Database to
9 collect, support, and coordinate the analysis of
10 nonidentifying patient safety data submitted voluntarily by
11 health care providers and patient safety organizations.

12 10. Disseminate information developed through analysis
13 of the State Patient Safety Database concerning the existence
14 and causes of practices that affect patient safety, findings
15 and conclusions regarding patient safety events, outcome
16 measures, and evidence-based recommendations to improve
17 patient safety.

18 (c) The center shall establish a voluntary process
19 which shall include a standardized format to enable health
20 care providers or patient safety organizations to report
21 nonidentifying patient safety data. In carrying out its
22 responsibilities under this paragraph, the center shall
23 consult with and solicit and consider recommendations from
24 appropriate sectors of the health care community, including
25 health care providers, patient safety organizations, and other
26 relevant experts.

27 (5) CONFIDENTIALITY.--In the event that any patient
28 safety data collected, managed, or analyzed by the center
29 contain any individual, identifying information relating to
30 patients, such data shall be treated the same as all other
31 patient data pursuant to ss. 119.07, 395.0197, 395.3025,

1 405.03, 408.061, 456.057, and 641.67, Florida Statutes, and
2 any other provision of law dealing with access to and
3 confidentiality of medical patient records and shall be used
4 solely for the purposes of research and the compilation of
5 information for legislative, regulatory, or other policy
6 purposes as intended in this section and as authorized and
7 provided in chapter 405, Florida Statutes.

8 Section 2. This act shall take effect July 1, 2002.

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11 HOUSE SUMMARY

12 Creates the "Patient Safety Improvement Act." Provides
13 legislative intent and definitions. Creates the Florida
14 Patient Safety Center to serve as the designated resource
15 for patient-safety-related research, education, and
16 policy information for the people and institutions of
17 Florida and to be administratively housed and located at
18 the Health Sciences Center of the University of South
19 Florida in Tampa. Provides duties of the center,
20 including creation of a State Patient Safety Database.
21 Requires identifying information in medical patient
22 records to remain confidential as provided by law. See
23 bill for details.
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