

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 at the Health Science Center of the University of South  
8 Florida in Tampa, the Health Science Center at the University  
9 of Florida, and the College of Medicine at the Florida State  
10 University in Tallahassee to carry out the duties described in  
11 this section. The center shall be administratively housed and  
12 located at the Health Science Center of the University of  
13 South Florida in Tampa.

14           (b) The center is authorized to:

15           1. Coordinate public and private resources to conduct  
16 and support research in and demonstrations and evaluations of  
17 patient safety.

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

24           3. Evaluate methods for identifying and promoting  
25 patient safety programs.

26           4. Support dissemination and communication activities  
27 to improve and enhance patient safety.

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

1           6. Develop and test measures and methods for  
2 evaluating and enhancing patient safety and promote the use of  
3 such measures and methods in practice.

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

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

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

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

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

30           (5) CONFIDENTIALITY.--The center may have access to  
31 all public records which are not otherwise exempt from s.

1 119.07(1) and s. 24(a), Art. I of the State Constitution.  
2 However, in the event that any patient safety data collected,  
3 managed, or analyzed by the center contain any individual,  
4 identifying information relating to patients or facilities,  
5 such data shall be treated the same as all other data pursuant  
6 to ss. 119.07, 395.0197, 395.3025, 405.03, 408.061, 456.057,  
7 and 641.67, Florida Statutes, and any other provision of law  
8 dealing with access to and confidentiality of medical patient  
9 records and shall be used solely for the purposes of research  
10 and the compilation of information for legislative,  
11 regulatory, or other policy purposes as intended in this  
12 section and as authorized and provided in chapter 405, Florida  
13 Statutes.

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