

By Senator Brown-Waite

10-1244-02

1                                   A bill to be entitled  
2           An act relating to patient safety; creating the  
3           Patient Safety Improvement Act; providing  
4           legislative intent; providing definitions;  
5           creating the Center for Patient Safety at the  
6           University of South Florida; requiring the  
7           center to coordinate research concerning  
8           patient safety; requiring that the center  
9           conduct research, perform evaluations, and  
10          provide technical assistance to health care  
11          providers, patient and their families, and  
12          policymakers; requiring the center to establish  
13          a State Patient Safety Database to use in  
14          analyzing and disseminating information;  
15          requiring that the center establish a process  
16          for health care providers to report data on  
17          patient safety; providing that information  
18          received by the center which is exempt from  
19          disclosure under the public-records law remains  
20          confidential; providing an effective date.

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

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24           Section 1. The Patient Safety Improvement Act.--  
25           (1) SHORT TITLE.--This section may be cited as the  
26 "Patient Safety Improvement Act."

27           (2) LEGISLATIVE INTENT.--It is the intent of the  
28 Legislature to establish a statewide, academically based  
29 center that will serve as the designated resource for  
30 research, education, and policy concerning patient safety and  
31 for providing information to the public and to institutions.

1           (3) DEFINITIONS.--As used in this section, the term:  
2           (a) "Center" means the Center for Patient Safety.  
3           (b) "Health care provider" means any physician, nurse,  
4 pharmacist, occupational therapist, physical therapist,  
5 hospital, or other person, institution, or organization that  
6 furnishes health care services and is licensed or otherwise  
7 authorized to practice in this state.  
8           (c) "Nonidentifiable patient-safety data" means data  
9 that are presented in a form and manner that prevents the  
10 identification of the health care provider or patient.  
11           (d) "Patient safety data" means:  
12           1. Any data, reports, records, memoranda, analyses, or  
13 other quality improvement processes of patient-safety events  
14 which are:  
15           a. Collected or developed by a health care provider;  
16           b. Reported to a patient-safety organization or the  
17 State Patient Safety Database;  
18           c. Contained in, or collected by, a patient-safety  
19 organization or the State Patient Safety Database;  
20           d. Requested by a patient-safety organization for the  
21 purpose of monitoring, researching, or improving patient  
22 safety; or  
23           e. Reported to a health care provider by a  
24 patient-safety organization to assist with quality improvement  
25 and patient-safety effectiveness.  
26           2. Information concerning corrective action taken in  
27 response to patient-safety events.  
28           (e) "Patient-safety event" means an event over which  
29 health care personnel could exercise control, which is  
30 associated in whole or in part with medical intervention  
31 rather than the condition for which such intervention

1 occurred, and which could result in the injury or death of a  
2 patient or any other adverse incident defined in section  
3 395.0197, Florida Statutes.

4 (f) "Patient-safety organization" means a public or  
5 private organization that:

6 1. Collects and analyzes data or information  
7 concerning patient safety;

8 2. Reports nonidentifiable patient safety data to the  
9 State Patient Safety Database; and

10 3. Provides direct feedback concerning patient-safety  
11 data to health care providers.

12 (4) CENTER FOR PATIENT SAFETY.--The center shall be  
13 located in the Health Sciences Center at the University of  
14 South Florida in Tampa.

15 (a) The center shall:

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

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

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

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

29 5. Design, conduct, and coordinate studies and surveys  
30 to assess aspects of patient safety, including, but not  
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1 limited to, various measures of clinical, social, and economic  
2 outcomes or processes.

3 6. Develop and test measures and methods for  
4 evaluating and enhancing patient safety and promoting the use  
5 of such measures in practice.

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

10 (b) In carrying out its duties, the center may:

11 1. Consult with and develop partnerships, as  
12 appropriate, with all segments of the health care industry,  
13 including health care providers and health care consumers.

14 2. Establish a State Patient Safety Database to  
15 collect, support, and coordinate the analysis of  
16 nonidentifiable patient-safety data submitted voluntarily by  
17 health care providers and patient-safety organization.

18 3. Disseminate information developed through analysis  
19 of the database concerning the existence and causes of  
20 practices that affect patient safety, findings and conclusions  
21 regarding patient-safety events, outcome measures, and  
22 evidence-based recommendations to improve patient safety.

23 (c) The center shall establish a voluntary process,  
24 using a standardized format, to enable health care providers  
25 or patient-safety organizations to report nonidentifiable  
26 patient-safety data.

27 (d) In carrying out its duties under this subsection,  
28 the center shall consult with, and solicit and consider  
29 recommendations from, appropriate sectors of the health care  
30 community, including health care providers, patient  
31 safety-organizations, and other relevant experts.

1           (5) CONFIDENTIALITY.--If any patient-safety data  
2 collected, managed, or analyzed by the Center for Patient  
3 Safety contains data that is confidential and exempt from  
4 section 119.07(1), Florida Statutes, and Section 24(a) of  
5 Article I of the State Constitution, such data shall remain  
6 confidential; shall be treated in the manner provided for  
7 other patient data under sections 395.0197, 408.061, and  
8 641.67, Florida Statutes; and may not be used for any purpose  
9 other than research and the compilation of information for  
10 legislative, regulatory, or other policy purposes intended by  
11 this section.

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

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SENATE SUMMARY

Creates the Center for Patient Safety at the University of South Florida which shall coordinate and disseminate research concerning patient safety. Provides duties and functions of the center. Requires that the center establish a State Patient Safety Database. Requires that information received by the center which is exempt from disclosure under the public-records law remain confidential and exempt from disclosure. (See bill for details.)