

By the Committee on Health, Aging and Long-Term Care; and
Senator Brown-Waite

317-2224-02

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 Florida Center for Patient Safety

6 at the University of South Florida and the

7 Florida State University; requiring the center

8 to coordinate research concerning patient

9 safety; requiring that the center conduct

10 research, perform evaluations, and provide

11 technical assistance to health care providers,

12 patient and their families, and policymakers;

13 requiring the center to establish a State

14 Patient Safety Database to use in analyzing and

15 disseminating information; requiring that the

16 center establish a process for health care

17 providers to report data on patient safety;

18 providing that information received by the

19 center which is exempt from disclosure under

20 the public-records law remains confidential;

21 providing an effective date.

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

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25 Section 1. The Patient Safety Improvement Act.--

26 (1) SHORT TITLE.--This section may be cited as the

27 "Patient Safety Improvement Act."

28 (2) LEGISLATIVE INTENT.--It is the intent of the

29 Legislature to establish a statewide, academically based

30 center that will serve as the designated resource for

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1 research, education, and policy concerning patient safety and
2 for providing information to the public and to institutions.

3 (3) DEFINITIONS.--As used in this section, the term:

4 (a) "Center" means the Florida Center for Patient
5 Safety.

6 (b) "Health care provider" means any physician, nurse,
7 pharmacist, occupational therapist, physical therapist,
8 hospital, or other person, institution, or organization that
9 furnishes health care services and is licensed or otherwise
10 authorized to practice in this state.

11 (c) "Nonidentifiable patient-safety data" means data
12 that are presented in a form and manner that prevents the
13 identification of the health care provider or patient.

14 (d) "Patient safety data" means:

15 1. Any data, reports, records, memoranda, analyses, or
16 other quality improvement processes of patient-safety events
17 which are:

18 a. Collected or developed by a health care provider;

19 b. Reported to a patient-safety organization or the
20 State Patient Safety Database;

21 c. Contained in, or collected by, a patient-safety
22 organization or the State Patient Safety Database;

23 d. Requested by a patient-safety organization for the
24 purpose of monitoring, researching, or improving patient
25 safety; or

26 e. Reported to a health care provider by a
27 patient-safety organization to assist with quality improvement
28 and patient-safety effectiveness.

29 2. Information concerning corrective action taken in
30 response to patient-safety events.

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1 (e) "Patient-safety event" means an event over which
2 health care personnel could exercise control, which is
3 associated in whole or in part with medical intervention
4 rather than the condition for which such intervention
5 occurred, and which could result in the injury or death of a
6 patient or any other adverse incident defined in section
7 395.0197, Florida Statutes.

8 (f) "Patient-safety organization" means a public or
9 private organization that:

10 1. Collects and analyzes data or information
11 concerning patient safety;

12 2. Reports nonidentifiable patient safety data to the
13 State Patient Safety Database; and

14 3. Provides direct feedback concerning patient-safety
15 data to health care providers.

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

17 (a) There is created the Florida Center for Patient
18 Safety at the Health Science Center of the University of South
19 Florida in Tampa and the College of Medicine at the Florida
20 State University in Tallahassee to carry out the duties
21 described in this section. The center shall be
22 administratively housed and located at the Health Science
23 Center of the University of South Florida in Tampa.

24 (b) The center shall:

25 1. Coordinate public and private resources to conduct
26 and support research, demonstrations, and evaluations of
27 patient safety.

28 2. Conduct and support research on effective ways to
29 improve and enhance patient safety and participate in
30 disseminating the information that is derived from such
31 research to health care providers in training and in practice,

1 health care institutions, patients and their families, and
2 policymakers.
3 3. Evaluate methods for identifying and promoting
4 patient-safety programs.
5 4. Support dissemination and communication activities
6 to improve and enhance patient safety.
7 5. Design, conduct, and coordinate studies and surveys
8 to assess aspects of patient safety, including, but not
9 limited to, various measures of clinical, social, and economic
10 outcomes or processes.
11 6. Develop and test measures and methods for
12 evaluating and enhancing patient safety and promoting the use
13 of such measures in practice.
14 7. Provide technical assistance, gather information
15 concerning the use of consumer and patient information, and
16 report on patient safety and the resulting effects of
17 intervention policies.
18 (c) In carrying out its duties, the center may:
19 1. Consult with and develop partnerships, as
20 appropriate, with all segments of the health care industry,
21 including health care providers and health care consumers.
22 2. Establish a State Patient Safety Database to
23 collect, support, and coordinate the analysis of
24 nonidentifiable patient-safety data submitted voluntarily by
25 health care providers and patient-safety organizations.
26 3. Disseminate information developed through analysis
27 of the database concerning the existence and causes of
28 practices that affect patient safety, findings and conclusions
29 regarding patient-safety events, outcome measures, and
30 evidence-based recommendations to improve patient safety.
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1 (d) The center shall establish a voluntary process,
2 using a standardized format, to enable health care providers
3 or patient-safety organizations to report nonidentifiable
4 patient-safety data.

5 (e) In carrying out its duties under this subsection,
6 the center shall consult with, and solicit and consider
7 recommendations from, appropriate sectors of the health care
8 community, including health care providers, patient
9 safety-organizations, and other relevant experts.

10 (5) CONFIDENTIALITY.--If any patient-safety data
11 received by the Florida Center for Patient Safety contains
12 information that is confidential and exempt from section
13 119.07(1), Florida Statutes, and Section 24(a) of Article I of
14 the State Constitution, such data shall remain confidential as
15 otherwise provided by law.

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

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18 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
19 COMMITTEE SUBSTITUTE FOR
20 Senate Bill 2294

21 The bill creates the Florida Center for Patient Safety in the
22 Health Sciences Center at the University of South Florida in
23 Tampa and the College of Medicine at the Florida State
24 University in Tallahassee. The bill provides that if any
25 patient-safety data received by the Florida Center for Patient
26 Safety contains data that is confidential and exempt from the
27 Public Records Law, such data must remain confidential as
28 otherwise provided by law.
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