

Bill No. SB 1912

Amendment No. 6 Barcode 845506

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	
5	<hr/>		
6			
7			
8			
9			
10	<hr/>		
11	The Committee on Health, Aging, and Long-Term Care recommended		
12	the following amendment:		
13			
14	Senate Amendment (with title amendment)		
15	On page 62, line 10 through p. 65, line 18, delete		
16	those lines		
17			
18	and insert:		
19	Section 17. <u>Patient safety data privilege.--</u>		
20	<u>(1) As used in this section, the term:</u>		
21	<u>(a) "Patient safety data" means reports made to</u>		
22	<u>patient safety organizations, including all health care data,</u>		
23	<u>interviews, memoranda, analyses, root cause analyses, products</u>		
24	<u>of quality assurance or quality improvement processes,</u>		
25	<u>corrective action plans, or information collected or created</u>		
26	<u>by a health care facility licensed under chapter 395 or a</u>		
27	<u>health care practitioner as defined in s. 456.001(4) as a</u>		
28	<u>result of an occurrence related to the provision of health</u>		
29	<u>care services which exacerbates an existing medical condition</u>		
30	<u>or could result in injury, illness, or death.</u>		
31	<u>(b) "Patient safety organization" means any</u>		

Bill No. SB 1912

Amendment No. 6 Barcode 845506

1 organization, group, or other entity that collects and
2 analyzes patient safety data for the purpose of improving
3 patient safety and health care outcomes and that is
4 independent and not under the control of the entity that
5 reports patient safety data.

6 (2) Patient safety data shall not be subject to
7 discovery or introduction into evidence in any civil or
8 administrative action.

9 (3) Unless otherwise provided by law, a patient safety
10 organization shall promptly remove all patient-identifying
11 information after receipt of a complete patient safety data
12 report unless such organization is otherwise permitted by
13 state or federal law to maintain such information. Patient
14 safety organizations shall maintain the confidentiality of all
15 patient-identifying information and may not disseminate such
16 information, except as permitted by state or federal law.

17 (4) The exchange of patient safety data among health
18 care facilities licensed under chapter 395 or health care
19 practitioners as defined in s. 456.001 (4), or patient safety
20 organizations which does not identify any patient shall not
21 constitute a waiver of any privilege established in this
22 section.

23 (5) Reports of patient safety data to patient safety
24 organizations does not abrogate obligations to make reports to
25 the Department of Health, the Agency for Health Care
26 Administration, or other state or federal regulatory agencies.

27 (6) An employer may not take retaliatory action
28 against an employee who in good faith makes a report of
29 patient safety data to a patient safety organization.

30
31

Bill No. SB 1912

Amendment No. 6 Barcode 845506

1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 7, line 9-24, delete those lines

4

5 and insert:

6 processes; designating as privileged patient
7 safety data; providing for protection of
8 patient-identifying information; directing the
9 Department of

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31