

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

**BILL:** CS/SB 1258

**INTRODUCER:** Committee on Appropriations (Recommended by Appropriations Subcommittee on Health and Human Services) and Senator Grimsley

**SUBJECT:** Comprehensive Health Information System

**DATE:** April 3, 2013                      **REVISED:** \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Looke	Stovall	HP	<b>Favorable</b>
2.	Brown	Pigott	AHS	<b>Fav/CS</b>
3.	Brown	Hansen	AP	<b>Fav/CS</b>
4.				
5.				
6.				

**Please see Section VIII. for Additional Information:**

- |                              |                                     |   |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>            | Technical amendments were recommended   |
|                              | <input type="checkbox"/>            | Amendments were recommended             |
|                              | <input type="checkbox"/>            | Significant amendments were recommended |

**I. Summary:**

CS/SB 1258 amends section 408.05, Florida Statutes, to eliminate the Florida Center for Health Information and Policy Analysis (Florida Center, or Center) and replace it with the Florida Health Information Transparency Initiative (Initiative).

The bill has an indeterminate fiscal impact on the AHCA.

The bill provides for the following:

- Directs the Agency for Health Care Administration (AHCA) to make available, in a manner that allows for and encourages multiple innovative uses for the data, state-collected data on health providers, facilities, services, and payment sources.
- Requires the AHCA, subject to the General Appropriations Act, to contract with one or more vendors to develop new methods to disseminate state-collected data and to convert data into an easily usable, electronic format.
- Details the types of data and information the AHCA must include in the comprehensive health information system.

- States what functions the AHCA must perform while collecting and disseminating comprehensive health information and statistics.
- Mandates that the AHCA implement the Initiative in a manner that recognizes state-collected data as an asset and rewards taxpayer investment in information collection and management.
- Mandates that the AHCA ensure that any vendor who enters into a contract with the state under this section does not inhibit or impede consumer access to state-collected health data.
- Eliminates the State Consumer Health Information and Policy Advisory Council.

The bill has an effective date of July 1, 2013.

The bill substantially amends the following sections of the Florida Statutes: 408.05, 381.026, 395.301, 465.0244, 627.6499 and 641.54.

## II. Present Situation:

### **The Florida Center for Health Information and Policy Analysis**

The Florida Center, housed within the AHCA, is responsible for collecting, compiling, coordinating, analyzing, and disseminating health related data and statistics for the purposes of developing public policy and promoting the transparency of consumer health care information.<sup>1</sup> The Center is divided into five offices each handling an area of Center responsibility:

- The Office of Data Collection and Quality Assurance collects patient discharge data from all licensed acute care hospitals (including psychiatric and comprehensive rehabilitation units), comprehensive rehabilitation hospitals, ambulatory surgical centers and emergency departments.<sup>2</sup>
- The Office of Risk Management and Patient Safety conducts in-depth analyses of reported incidents to determine what happened and how the involved facility responded to the incident.<sup>3</sup>
- The Office of Data Dissemination and Communication maintains the AHCA's health information website,<sup>4</sup> provides technical assistance to data users, and creates consumer brochures and other publications.<sup>5</sup>
- The Office of Health Policy and Research conducts research and analysis of health care data from facilities and develops policy recommendations aimed at improving the delivery of health care services in Florida.<sup>6</sup>
- The Office of Health Information Exchange monitors innovations in health information technology, informatics, and the exchange of health information and provides a

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<sup>1</sup> Florida Center for Health Information and Policy Analysis, found at: <http://ahca.myflorida.com/SCHS/index.shtml>, last visited on Mar. 5, 2013.

<sup>2</sup> Office of Data Collection & Quality Assurance, found at: <http://ahca.myflorida.com/SCHS/division.shtml#DataC>, last visited on Mar. 5, 2013.

<sup>3</sup> Office of Risk Management and Patient Safety, found at: <http://ahca.myflorida.com/SCHS/division.shtml#PatientSafety>, last visited on Mar. 5, 2013.

<sup>4</sup> [www.FloridaHealthFinder.gov](http://www.FloridaHealthFinder.gov)

<sup>5</sup> The Office of Data Dissemination and Communication, found at: <http://ahca.myflorida.com/SCHS/division.shtml#DataD>, last visited on Mar. 5, 2013.

<sup>6</sup> The Office of Health Policy and Research, found at: [http://ahca.myflorida.com/SCHS/division.shtml#Policy\\_Research](http://ahca.myflorida.com/SCHS/division.shtml#Policy_Research), last visited on Mar. 5, 2013.

clearinghouse of technical resources on health information exchange, electronic prescribing, privacy and security, and other relevant issues.<sup>7</sup>

#### *Florida Center Data Collection*

The Florida Center electronically collects patient data from every Florida licensed inpatient hospital, ambulatory surgery center (ASC), emergency department, and comprehensive rehabilitation hospital on a quarterly basis. The data is validated for accuracy and maintained in three major databases including the hospital inpatient database, the ambulatory surgery database, and the emergency department database:<sup>8</sup>

- The hospital inpatient database contains records for each patient stay at Florida acute care facilities, including long-term care hospitals and psychiatric hospitals. These records contain extensive patient information including discharge records, patient demographics, admission information, medical information, and charge data.<sup>9</sup> This database also includes comprehensive inpatient rehabilitation data on patient-level discharge information from Florida's licensed freestanding comprehensive inpatient rehabilitation hospitals and acute care hospital distinct part rehabilitation units.<sup>10</sup>
- The ambulatory surgery database contains "same-day surgery" data on reportable patient visits to Florida health care facilities, including freestanding ambulatory surgery centers, short-term acute care hospitals, lithotripsy centers, and cardiac catheterization laboratories.<sup>11</sup> Ambulatory surgery data records include, but are not limited to, patient demographics, medical information, and charge data.<sup>12</sup>
- The emergency department database collects reports of all patients who visited an emergency department, but were not admitted for inpatient care. Reports are electronically submitted to the AHCA and include the hour of arrival, the patient's chief complaint, principal diagnosis, race, ethnicity, and external causes of injury.<sup>13</sup>

In addition to these databases, the Office of Risk Management and Patient Safety collects adverse incident reports from health care providers including, hospitals, ambulatory surgical centers, nursing homes, and assisted living facilities.<sup>14</sup>

#### *Florida Center Data Dissemination*

The Office of Data Dissemination and Communication makes data collected by the Florida Center available in three ways: by updating and maintaining the AHCA's health information

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<sup>7</sup> Office of Health Information Exchange, found at: <http://ahca.myflorida.com/SCHS/division.shtml#HIE>, last visited on Mar. 5, 2013.

<sup>8</sup> Florida Center for Health Information and Policy Analysis, *2011 Annual Report*, p. 2, found at: [http://edocs.dlis.state.fl.us/fldocs/ahca/schs/schs\\_ar2011.pdf](http://edocs.dlis.state.fl.us/fldocs/ahca/schs/schs_ar2011.pdf), last visited on Mar. 5, 2013.

<sup>9</sup> *Id.*, p. 3

<sup>10</sup> *Id.*, p. 4

<sup>11</sup> *Id.*, p. 3

<sup>12</sup> *Id.*, p. 4

<sup>13</sup> *Id.*, p. 5

<sup>14</sup> *Id.*

website at [www.FloridaHealthFinder.gov](http://www.FloridaHealthFinder.gov), by issuing standard and ad hoc reports, and by responding to requests for de-identified data.<sup>15</sup>

- [www.FloridaHealthFinder.gov](http://www.FloridaHealthFinder.gov) - The Florida Center maintains [www.FloridaHealthFinder.gov](http://www.FloridaHealthFinder.gov) (website) which was established to assist consumers in making informed health care decisions and lead to improvements in quality of care in Florida. The website provides a wide array of search and comparative tools to the public which allow easy access to information on hospitals, ambulatory surgery centers, emergency departments, hospice providers, physician volume, health plans, nursing homes, and prices for prescription drugs in Florida. The website also provides tools to researchers and professionals which allow specialized data queries that require users to have some knowledge of medical coding and terminology.<sup>16</sup> Some of the features and data available on the website include a multimedia encyclopedia and symptoms navigator, hospital and ambulatory surgery centers performance data, data on mortality, complication, and infection rates for hospitals, and a facility/provider locator.<sup>17</sup>
- *Standard and Ad Hoc Reports* - The Center disseminates three standard reports which detail hospital fiscal data including a prior year report, an audited financial statement, and hospital financial data report. Also, ad hoc reports may be requested for customers looking for very specific information not included on a standard report or for customers who do not wish to purchase an entire data set to obtain information. One example of an ad hoc report would be a request for the average length of stay of patients admitted to a hospital with diabetes as a principle or secondary diagnosis.<sup>18</sup> The Center charges a set fee for standard reports<sup>19</sup> and a variable fee based on the extensiveness of an ad hoc report.<sup>20</sup>
- *Requests for De-identified Data* - The Center also sells hospital inpatient, ambulatory surgery, and emergency department data to the general public in a non-confidential format. However, the requester must sign a limited set data use agreement which binds the requester to only using the data in a way specified in the agreement. Information not available in these limited data sets include: patient ID number, medical record number, social security number, dates of admission and discharge, visit beginning and end dates, age in days, payer, date of birth, and procedure dates.<sup>21</sup>

*The State Consumer Health Information and Policy Advisory Council*

Also created by s. 408.05, F.S., the State Consumer Health Information and Policy Advisory Council (Advisory Council) was established to make recommendations to the Florida Center for Health Information and Policy Analysis. The mission of the Advisory Council is to assist the Florida Center in reviewing the comprehensive health information system, including the identification, collection, standardization, sharing, and coordination of health-related data, fraud and abuse data, and professional and facility licensing data among federal, state, local, and

<sup>15</sup> *Id.*, pp. 6-9

<sup>16</sup> *Id.*, p. 9

<sup>17</sup> *Id.*, pp. 9-13

<sup>18</sup> *Id.*, p. 8

<sup>19</sup> The price list for purchasing data from the Center is available at:

<http://floridahealthfinderstore.blob.core.windows.net/documents/researchers/OrderData/documents/PriceList%20Jan%202011.pdf>, last visited on Mar. 5, 2013.

<sup>20</sup> *Supra* note 8, p. 7

<sup>21</sup> *Id.*, pp. 7-8. Also see note 19 for a price list.

private entities and to recommend improvements for purposes of public health, policy analysis, health information exchange and transparency of consumer health care information. The Advisory Council assists the AHCA in determining the method and format for the public disclosure of data collected by the Florida Center and also works with the Florida Center in the development and implementation of a long-range plan for making available health care quality measures and financial data that will allow consumers to compare health care services.<sup>22</sup> The Advisory Council met three times in 2012, last meeting on November 29, and had a meeting on March 15, 2013. The Advisory Council's membership is detailed in s. 408.05(8), F.S., and includes:

- An employee of the Executive Office of the Governor.
- An employee of the Office of Insurance Regulation.
- An employee of the Department of Education.
- Ten persons appointed by the Secretary of Health Care Administration, representing other state and local agencies, state universities, business and health coalitions, local health councils.

### III. Effect of Proposed Changes:

**Section 1** amends s. 408.05, F.S., to:

- Eliminate the Florida Center for Health Information and Policy Analysis.
- Create the Florida Health Information Transparency Initiative.
- Direct the AHCA to make state-collected data on health providers, facilities, services, and payment sources available in a manner that allows for and encourages multiple innovative uses for the data.
- Require the AHCA, subject to the General Appropriations Act, to contract with one or more vendors to develop new methods of dissemination and to convert data into an easily usable electronic format.
- Detail the types of data and information the AHCA must include in the comprehensive health information system, including data and information on:
  - Health resources;
  - Utilization of health resources;
  - Health care costs and financing;
  - The extent, source, and type of public and private health insurance coverage in the state; and
  - Data necessary for measuring value and quality of care provided by various health care providers.
- State what functions the AHCA must perform in order to collect and disseminate comprehensive health information and statistics to the public and to support the development of policy recommendations, including:
  - Collecting and compiling data from all state agencies and programs involved in providing, regulating, and paying for health services.

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<sup>22</sup> State Consumer Health Information and Policy Advisory Council, *Executive Summary*, found at: <http://ahca.myflorida.com/SCHS/CommitteesCouncils/docs/AC-ExecutiveSummary0113.pdf>, last visited on Mar. 5, 2013.

- Promoting data sharing through the development, dissemination, and evaluation of state-collected health data and making such data available, transferable, readily useable.
- Developing written agreements with local, state, and federal agencies for the sharing of health-care-related data.
- Enabling and facilitating the sharing and use of all state-collected health data to the maximum extent allowed by law.
- Monitoring data collection procedures, testing data quality, and taking such corrective actions as may be necessary to ensure that data disseminated under the Initiative are accurate, valid, reliable and complete.
- Initiating and maintaining the activities necessary to collect, edit, verify, archive and retrieve the data.
- Mandate that the AHCA implement the Initiative in a manner that recognizes state-collected data as an asset and rewards taxpayer investment in information collection and management.
- Mandate that the AHCA ensure that any vendor who enters into a contract with the state under this section does not inhibit or impede consumer access to state-collected health data.
- Strike significant portions of the statute regarding the Comprehensive Health Information System.
- Eliminate the State Consumer Health Information and Policy Advisory Council.

**Sections 2 through 6** amend various sections of the Florida Statutes to strike references made obsolete by the changes made to s. 408.05, F.S.

**Section 7** provides an effective date of July 1, 2013.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The Initiative is intended to modernize health care data collection and dissemination functions to facilitate public access to this data for innovative uses. The AHCA will

contract with one or more vendors, if funding is provided in the General Appropriations Act, to accomplish this objective.

C. **Government Sector Impact:**

The bill's fiscal impact on the AHCA is indeterminate and would depend largely on services and functions that could be outsourced to one or more vendors and whether such outsourcing would lead to reduction of AHCA staff. Any such vendor contracts are subject to the General Appropriations Act.

The AHCA also estimates that the bill would result in an insignificant reduction in the agency's travel expenses that are currently associated with the State Consumer Health Information and Policy Advisory Council.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Appropriations on April 3, 2013:**

The committee substitute removed, from the bill, the words “but may not be limited to,” under the description of the health-related data and information that the comprehensive health information system shall include.

B. **Amendments:**

None.