

JAN 22 2007

A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. More Americans die each year from
2 hospital-acquired infections than from automobile accidents and
3 homicides combined, according to the Consumer's Union. An
4 estimated ninety thousand people die each year in the United
5 States from infections contracted in the hospital, according to
6 the Centers for Disease Control and Prevention.
7 Statistics indicate that approximately five to ten per cent
8 of all hospital patients develop infections, adding to hospital
9 mortalities, length of stay, and costs. The risks for getting a
10 hospital infection have steadily increased during recent
11 decades.
12 The legislature finds that the most expedient means of
13 reducing hospital infection rates is to make the information
14 public. For hospitals there is no greater incentive than the
15 need to respond to informed consumers demanding the quality of
16 care they deserve.



1 Existing law and rules in Hawaii do not require hospitals
2 to report infection rates. Thus, there is no means of
3 comparison among hospitals and the public has no way of knowing
4 if their hospital is doing a good job of minimizing infection
5 risks.

6 The purpose of this Act is to enact the Hospital Infections
7 Disclosure Act to require hospitals to establish a system of
8 infection data gathering and reporting to the department of
9 health, with that information to be made accessible to the
10 public.

11 SECTION 2. Chapter 323, Hawaii Revised Statutes, is
12 amended by adding a new part to be appropriately designated and
13 to read as follows:

14 "PART . HOSPITAL INFECTIONS DISCLOSURE ACT

15 §323-A Definitions. As used in this part:

16 "Department" means the department of health.

17 "Hospital" means a facility, whether private or public,
18 that is licensed, accredited, or approved as a hospital by the
19 department.

20 "Hospital-acquired infection" means a localized or systemic
21 condition that:



- 1 (1) Results from adverse reaction to the presence of an
- 2 infectious agent or its toxins; and
- 3 (2) Was not present or incubating at the time of admission
- 4 to the hospital.

5 **§323-B Hospital reports.** (a) A hospital shall record

6 incidences of, and collect relevant data concerning, hospital-

7 acquired infections and infection rates. The data shall be

8 categorized as follows:

- 9 (1) Surgical site infections;
 - 10 (2) Ventilator-associated pneumonia;
 - 11 (3) Central line-related bloodstream infections;
 - 12 (4) Urinary tract infections; and
 - 13 (5) Other categories as determined by the department.
- 14 (b) The information under subsection (a) shall be reported
- 15 quarterly to the department, with a quarter ending on March 31,
- 16 June 30, September 30, and December 31 of each year and the
- 17 report submitted no later than thirty days following the last
- 18 day of the quarter. If a hospital is part of an association or
- 19 affiliation of hospitals, each of those hospitals shall be
- 20 individually responsible to comply with this section and shall
- 21 submit an individual report.



1 §323-C Department's responsibilities; sanctions. The
2 department shall:

3 (1) Ensure that the reports contain accurate information;

4 (2) Analyze the reports to determine if the
5 hospital-acquired infections are at a rate that poses
6 a health risk and, if so, take appropriate measures,
7 including advising the hospital to remedy the problem
8 and making applicable licensure sanctions; and

9 (3) Establish sanctions for noncompliance with this part.

10 The department may conduct inspections for the purposes of this
11 subsection. The department may establish an advisory committee
12 to assist it in developing and reviewing the methodology for
13 collecting and analyzing the data.

14 §323-D Public information. The department shall make the
15 quarterly reports under section 323-B available for public
16 inspection, including making them accessible through a website.

17 §323-E Rulemaking. (a) The department shall adopt rules
18 pursuant to chapter 91 necessary for the purposes of this
19 chapter.

20 (b) For purposes of subsection (a), the director of health
21 shall consult with and seek the input from hospitals,
22 physicians, nursing staff, epidemiologists, public health



1 specialists, pathologists, and appropriate professional staff of
2 the John A. Burns school of medicine.

3 §323-F Privacy. Every hospital and the department shall
4 maintain the confidentiality required by law of patients records
5 for purposes of this part. A hospital shall not release a
6 patient's identifying data.

7 §323-G Penalties. Any hospital that does not comply with
8 the requirements of this part shall be subject to applicable
9 licensure sanctions."

10 SECTION 3. The first report by hospitals on hospital-
11 acquired infections under this Act shall be for the quarter
12 ending March 31, 2008.

13 SECTION 4. In codifying the new sections added by section
14 2 of this Act, the revisor of statutes shall substitute
15 appropriate section numbers for the letters used in designating
16 the new sections in this Act.

17 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: Carol Fulem



Report Title:

Hospitals; Infections Reporting

Description:

Enacts the Hospital Infections Disclosure Act to establish a uniform system of reporting hospital-acquired infections to the department of health and to make that information public.

