

JAN 21 2011

A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The purpose of this Act is to ensure that
2 Hawaii is consistent with the efforts of federal agencies to
3 control health care-associated infections. This Act also
4 ensures that the department of health has access to health care-
5 associated infection data reported by Hawaii's health care
6 providers to the federal government. In addition, this Act
7 requires the Hawaii legislature to be updated on federal and
8 state efforts to report health care-associated infections.

9 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
10 amended by adding a new section to be appropriately designated
11 and to read as follows:

12 "§321- Health care-associated infection reporting. (a)
13 Each health care facility in Hawaii that is certified by the
14 Centers for Medicare and Medicaid Services shall report
15 information about health care-associated infections to the
16 Centers for Disease Control and Prevention's national healthcare
17 safety network, as specified in the rules of the Centers for
18 Medicare and Medicaid Services.



1 (b) Health care facilities shall authorize the Centers for
2 Disease Control and Prevention to allow the department to access
3 health care-associated infection data reported by Hawaii's
4 health care providers to the national healthcare safety network.

5 (c) The department may adopt rules pursuant to chapter 91
6 to require that health care-associated infections that are
7 multidrug-resistant be reported to the department through the
8 national healthcare safety network. The rules shall specify
9 which health care facilities are required to report those health
10 care-associated infections that are multidrug-resistant through
11 the national healthcare safety network, as well as the patient
12 populations that are to be targeted in the reports. The first
13 year of reporting required under this subsection shall be a
14 pilot test of the reporting system and shall not be reported or
15 disclosed to the public.

16 (d) The department shall preserve patient confidentiality.
17 The department shall not disclose to the public any patient
18 level data obtained from any health care provider.

19 (e) The department may issue reports to the public about
20 health care-associated infections that aggregate data so that no
21 individual patient can be identified. The reports may identify
22 individual health care facilities. The reports shall utilize



1 the methodology or any part of the methodology developed by the
2 Centers for Disease Control and Prevention and the Centers for
3 Medicare and Medicaid Services for national reporting of health
4 care-associated infections.

5 (f) Health care-associated infection information held by
6 the department as a result of reporting under this part is not
7 subject to subpoena, discovery, or introduction into evidence in
8 any civil or criminal proceeding, except that health care-
9 associated infection information otherwise available from other
10 sources is not immune from subpoena, discovery, or introduction
11 into evidence through those sources solely because they were
12 provided as required by this section.

13 (g) For the purposes of this section:

14 "Department" means the department of health.

15 "Health care facility" means any entity that falls within
16 the definition of "health care facility" in section 323D-2."

17 SECTION 3. The department of health shall submit a report
18 to the legislature providing an update on health care-associated
19 infection reporting required under section 2 of this Act. The
20 report shall be submitted no later than twenty days prior to the
21 convening of the regular session of 2012.

22 SECTION 4. New statutory material is underscored.



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

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INTRODUCED BY: Arvid Ylge

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Report Title:

Health care-Associated Infection Reporting; Department of Health

Description:

Establishes health care-associated infection reporting requirements. Requires the department of health to submit an update on health care-associated infection reporting to the legislature.

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