

# A-Engrossed Senate Bill 23

Ordered by the Senate March 21  
Including Senate Amendments dated March 21

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## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires [*hospitals to submit emergency department discharge abstract records to*] Oregon Health Authority or [*to*] entity contracting with authority to [*compile*] **obtain discharge records from hospitals, ambulatory surgical centers and extended stay centers. Permits authority to charge fee to ambulatory surgical centers to cover cost of abstracting and compiling records. Permits authority to require health maintenance organizations to submit ambulatory surgery, inpatient and emergency department discharge records.**

Requires authority to notify [*hospitals and ambulatory surgical centers*] **entities submitting data** of changes to data sets [*of discharge records that must be submitted,*] no later than July 1 of calendar year preceding effective date of changes.

## A BILL FOR AN ACT

1  
2 Relating to data submitted to the Oregon Health Authority by health care facilities; creating new  
3 provisions; and amending ORS 442.120.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 442.120, as amended by section 7, chapter 50, Oregon Laws 2018, is amended  
6 to read:

7 442.120. (1) In order to provide data essential for health planning programs:

8 [*(1) The Oregon Health Authority may request, by July 1 of each year, each general hospital to file*  
9 *with the authority ambulatory surgery and inpatient discharge abstract records covering all patients*  
10 *discharged during the preceding calendar year. The ambulatory surgery and inpatient discharge ab-*  
11 *stract record for each patient must include the following information, and may include other informa-*  
12 *tion deemed necessary by the authority for developing or evaluating statewide health policy:]*

13 [*(a) Date of birth;*]

14 [*(b) Sex;*]

15 [*(c) Race and ethnicity;*]

16 [*(d) Primary language;*]

17 [*(e) Disability;*]

18 [*(f) Zip code;*]

19 [*(g) Inpatient admission date or outpatient service date;*]

20 [*(h) Inpatient discharge date;*]

21 [*(i) Type of discharge;*]

22 [*(j) Diagnostic related group or diagnosis;*]

23 [*(k) Type of procedure performed;*]

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1        *[(L) Expected source of payment, if available;]*

2        *[(m) Hospital identification number; and]*

3        *[(n) Total hospital charges.]*

4        *[(2) By July 1 of each year, the authority may request from ambulatory surgical centers licensed*  
 5 *under ORS 441.015 ambulatory surgery discharge abstract records covering all patients admitted dur-*  
 6 *ing the preceding year. Ambulatory surgery discharge abstract records must include information simi-*  
 7 *lar to that requested from general hospitals under subsection (1) of this section.]*

8        *[(3) By July 1 of each year, the authority may request from extended stay centers licensed under*  
 9 *section 2, chapter 50, Oregon Laws 2018, extended stay center discharge abstract records covering all*  
 10 *patients admitted during the preceding year. Extended stay center discharge abstract records must in-*  
 11 *clude information prescribed by the authority by rule.]*

12        *[(4) In lieu of abstracting and compiling the records itself, the authority may solicit the voluntary*  
 13 *submission of the data described in subsections (1) to (3) of this section to enable the authority to carry*  
 14 *out its responsibilities under this section. If such data are not available to the authority on an annual*  
 15 *and timely basis,]*

16        **(a) The Oregon Health Authority shall obtain directly from each hospital licensed to op-**  
 17 **erate in this state, or from a third party working on behalf of or by contract with the hos-**  
 18 **pital, the following information prescribed by the authority by rule:**

19        **(A) Ambulatory surgery discharge abstract records;**

20        **(B) Inpatient discharge abstract records; and**

21        **(C) Emergency department discharge abstract records.**

22        **(b) The authority shall obtain directly from each ambulatory surgical center licensed to**  
 23 **operate in this state, or from a third party working on behalf of or by contract with the**  
 24 **ambulatory surgical center, the following information prescribed by the authority by rule:**

25        **(A) Ambulatory surgery discharge abstract records; and**

26        **(B) Discharge abstract records of patients discharged from extended stay centers li-**  
 27 **censed under section 2, chapter 50, Oregon Laws 2018, that are affiliated with the ambulatory**  
 28 **surgical center.**

29        **(2) The authority** may establish by rule a fee to be charged to each *[hospital,]* ambulatory  
 30 surgical center *[or extended stay center].*

31        *[(5)] (3) The fee established under subsection [(4)] (2) of this section may not exceed the cost*  
 32 *of abstracting and compiling the records.*

33        *[(6)] (4) The authority may specify by rule the form in which records are to be submitted. If the*  
 34 *form adopted by rule requires conversion from the form regularly used by a hospital, ambulatory*  
 35 *surgical center or extended stay center, reasonable costs of such conversion shall be paid by the*  
 36 *authority.*

37        *[(7) Abstract records must include a patient identifier that allows for the statistical matching of*  
 38 *records over time to permit public studies of issues related to clinical practices, health service utiliza-*  
 39 *tion and health outcomes. Provision of such a patient identifier must not allow for identification of the*  
 40 *individual patient.]*

41        *[(8) In addition to the records required in subsection (1) of this section, the authority may obtain*  
 42 *abstract records for each patient that identify specific services, classified by International Classification*  
 43 *of Disease Code, for special studies on the incidence of specific health problems or diagnostic practices.*  
 44 *However, nothing in this subsection shall authorize the publication of specific data in a form that al-*  
 45 *lows identification of individual patients or licensed health care professionals.]*

1        [(9)] (5) The authority may provide by rule for the submission of **ambulatory surgery, inpa-**  
2 **tient and emergency department discharge abstract** records for enrollees in a health mainte-  
3 nance organization [*from a hospital, ambulatory surgical center or extended stay center associated with*  
4 *such an organization*] in a form the authority determines appropriate to the authority's needs for  
5 [*such*] **the** data and the organization's record keeping and reporting systems for charges and ser-  
6 vices.

7        (6) **The authority shall notify any entity submitting data under this section of any**  
8 **changes to the data sets that must be submitted, no later than July 1 of the calendar year**  
9 **preceding the effective date of the changes.**

10        (7) **The authority may contract with a third party to receive and process the records**  
11 **submitted under this section.**

12        **SECTION 2. ORS 442.120 is added to and made a part of ORS chapter 442.**  
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