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May 19, 2003

LB 73

let Senator Jensen introduce the committee amendments and I would be open for questions after that. Thank you.

SENATOR CUDABACK: Thank you, Senator Cunningham. As stated, there are committee amendments offered by the Health and Human Services Committee. Senator Jensen, as Chairman, you're recognized to open on AM0304.

SENATOR JENSEN: Thank you, Senator Cudaback. Members of the Legislature, the committee amendment to LB 73 replaces the bill as introduced and represents a policy compromise reached by Senator Cunningham, Senator Byars, representatives of the Nebraska Hospital Association and the Nebraska ambulatory surgical centers. The committee amendment adopts the Outpatient Surgical Procedure Data Act. In the amendment, the purpose of the act is to provide: one, the collection and compilation of outpatient surgical procedure information from hospitals and ambulatory surgical centers; the use and disclosure of such information for public health purposes; and three, the reporting, periodic reporting, to the Legislature and an annual statistical report. Section 3 of the amendment defines several terms for the purposes of the act. Section 4 of the amendment requires every licensed ambulatory surgical center and hospital to report the following information to the Department of Health and Human Services Regulation and Licensure annually by May 1 in a format prescribed by the department in the rule and regulation. It shall have: one, facility name; facility portion of billed charges for each patient served; three, county and state of residence by zip code of each patient served; primary outpatient surgical procedure formed for each patient; primary payor for each patient served; and any other outpatient surgical information voluntarily reported by the facility. The department may impose a late fee for failing to report information as required. Section 5 of the amendment provides that all reported information is privileged and not discoverable or subject to subpoena, and may not be offered or received in evidence in any court proceeding. The information may only be disclosed as provided in Section 6 and 7 of the act. Section 6 provides that information may only be used for the statistical public health planning purposes and other public health purposes as defined by the department in rule and regulation. The