

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website (www.nmlegis.gov) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR SJC ORIGINAL DATE _____
LAST UPDATED 03/05/15 HB _____
SHORT TITLE Safe Disclosure of Certain Health Information SB 323 & 474/SJCS
ANALYST Dunbar

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Relates to: SB 34; SB 474

Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

Responses Received From

Department of Health (DOH)

Human Services Department (HSD)

Medical Board (MB)

SUMMARY

Synopsis of Bill

SB 323 & 474/SJCS amends sections of the Health Information System Act to provide for the safe disclosure of information related to specifically identifiable data sources. The amendment allows that the Department of Health (DOH) to release or disseminate aggregate data including those data that pertain to a specifically identifiable hospital or other type of health facility. The bill allows any person to obtain any aggregate data publicly disseminated by the department. SB 323 & 474/SJCS also enacts a new section of the Health Information System Act to establish a health information system advisory committee. Membership and duties of the advisory committee is determined by the DOH Cabinet Secretary by rule.

SB 323 & 474/SJCS amends the Health Information System statute. In 24-14A-3, the bill changes the term provider to "health care practitioner". It clarifies 24-14A-6 that provider data is available only if it is aggregated and publicly disseminated by the DOH and states these are public records if the release does not violate any privacy laws concerning individually identifiable health information.

Any person may obtain any aggregated data publicly disseminated by the DOH. SB 323 & 474/SJCS includes section 3 and Sections 24-14A-6 and 24-14A-7 NMSA 1978 in the exception of health information accessibility to the public.

SB 323 & 474/SJCS inserts a line in the title that allows for providing for the posting of information for public access. The bill creates section 5 of the Health Information Systems Act pertaining to the establishment of a web site by January 1, 2018 which ensures public access. Posted on this site is information that is allowed under the Health Information Systems Act. DOH shall post and update on a regular basis, cost, quality and such other information.

FISCAL IMPLICATIONS

SB 323 & 474/SJCS does not include an appropriation. If enacted, DOH will absorb costs associated with the implementation.

SIGNIFICANT ISSUES

The goal of SB 323 & 474/SJCS is to allow for the dissemination of hospital-specific aggregate data by DOH. Currently, DOH is precluded from providing data collected under the Health Information System Act by hospital. This bill will allow New Mexicans to compare hospitals based on publicly available aggregate hospitalization data from each hospital. Having hospital-specific data available to the public, policy-makers, and the hospitals may help improve the quality of care and also the quality of the data available for hospitalizations.

The creation of an advisory committee will allow for consumer and health care system input around the provision of hospital specific data. The data will be public record if the release of the data does not violate state or federal laws relating to the privacy and confidentiality of individual identifiable health information.

PERFORMANCE IMPLICATIONS

SB 323 & 474/SJCS is related to the DOH FY2016 Strategic Plan, Result 7: Technology support timely, data-driven decisions, improved business operations, and improved public information and education. The availability of health system data contributes to more informed decision making by the healthcare consumer.

ADMINISTRATIVE IMPLICATIONS

If enacted, SB 323 & 474/SJCS will require implementation to be accomplished with current resources, including staff, in the DOH Epidemiology and Response Division.

RELATIONSHIP, DUPLICATE

Relates to SB 34 Broadband Infrastructure Fund

BD/aml/bb