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FISCAL IMPACT REPORT

ORIGINAL DATE 03/04/15
 SPONSOR HHC LAST UPDATED 03/12/15 HB 432/HHCS/aHGEIAC
 SHORT TITLE Safe Disclosure of Certain Health Information SB _____
 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

Duplicates: SB 323

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)
 Board of Nursing (BN)
 General Services Department (GSD)

SUMMARY

Synopsis of HGEIA Amendment

The House Government, Elections & Indian Affairs Committee amendment inserts language to Section 5 of the bill pertaining to information that DOH will post on the web site to include cost, quality and such other information it publishes pursuant to the Health Information Systems Act.

The amendment also includes language that notes that the web site shall be accessible through the sunshine portal.

The amendment reflects language that is included in SB 323 & 474/SJCS.

Synopsis of Bill

HB 432/HHCS 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. HB 432/HHCS 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.

HB 432/HHCS 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. HB 432/HHCS includes section 3 and Sections 24-14A-6 and 24-14A-7 NMSA 1978 in the exception of health information accessibility to the public.

HB 432/HHCS inserts a line in the title not included in HB 432 that allows for providing for the posting of information for public access. The bill creates a new section 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.

HB 432/HHCS removes language in HB 432 relating to the collecting of aggregate data on actual prices paid for healthcare services and procedures at NM hospitals.

FISCAL IMPLICATIONS

HB 432/HHCS does not include an appropriation. If enacted, DOH will absorb costs associated with the implementation of HB 432/HHCS.

SIGNIFICANT ISSUES

The goal of HB 432/HHCS 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

HB 432/HHCS 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, HB 432/HHCS 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

SB 474 allows DOH to publicly provide hospital specific aggregate data, including aggregate data on actual prices paid for healthcare services and procedures.

As it now stands the substitute bill duplicates SB323 as amended by SPAC.

BD/aml/bb/je