



Ohio Legislative Service Commission

Bill Analysis

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H.B. 353

129th General Assembly
(As Introduced)

Reps. Sears, Carey, Combs, Derickson, Gonzales, Grossman, Hackett, Hollington, McGregor, Murray, Newbold, Peterson, Stebelton, Thompson

BILL SUMMARY

- Repeals the law requiring hospitals to submit to the Director of Health certain performance measure information.
- Abolishes both the Hospital Measures Advisory Council and the Data Collection and Analysis Group.

CONTENT AND OPERATION

Hospital performance measure information

The bill repeals all statutory provisions establishing hospital performance measure reporting requirements.¹ Current law requires each hospital to semiannually submit information to the Director of Health that shows the hospital's performance in meeting inpatient and outpatient service measures. The reports must be submitted not later than the first day of each April and October.²

The measures that must be reported are to be specified in rules adopted by the Director. The rules may include measures recommended by the Hospital Measures Advisory Council, which is described below, but must include measures from all of the following:

(1) Hospital quality measures publicly reported by the Centers for Medicare and Medicaid Services;

¹ R.C. 3727.33 (repealed), 3727.331 (repealed), 3727.35 to 3727.39, 3727.40, 3727.41, and 3727.45.

² R.C. 3727.33 (repealed).

(2) Hospital quality measures publicly reported by the Joint Commission;

(3) Measures that examine volume of cases, adjusted length of stay, complications, infections, or mortality rates and are developed by the Agency for Health Care Research and Quality;

(4) Measures included in the "national voluntary consensus standards for hospital care" endorsed by the National Quality Forum.

In submitting performance measure information, current law requires that each hospital do all of the following: (1) submit the information regardless of who pays the charges incurred for the services, (2) for each measure for which the information is submitted, use the form and specifications for the measure that the entity that developed or endorsed the measure recommends be used for the measure, (3) adjust for risk, as needed, the information for a particular measure in accordance with the risk adjustment methodology that the entity that developed or endorsed the measure recommends be used for the measure, (4) provide for the information to reflect the hospital's performance in meeting the measures over a 12-month period, and (5) follow the Director's rules governing submission of the information.³

Public availability of information

The bill repeals a provision requiring the Director, to the extent that appropriations are made by the General Assembly, to make the performance measure information submitted by hospitals available to the public on an Internet web site and a provision requiring the Director to make the submitted information available for sale to any interested person or government entity.⁴

Hospital Measures Advisory Council

The bill abolishes the 17-member Hospital Measures Advisory Council.⁵ The Council was required to issue a report to the Director not later than one year after the date the last of the initial Council members was appointed. The report made recommendations on (1) collecting hospital performance measure information, (2) any audits the Director conducted on the performance measure information, (3) disseminating information about the performance of hospitals in meeting the measures, and (4) explaining to the public how to use the information.

³ R.C. 3727.33(A) to (E) (repealed).

⁴ R.C. 3727.39, 3727.391, and 3727.40.

⁵ R.C. 3727.31, 3727.311, 3727.312, and 3727.313 (all repealed).

Current law requires the Council to continue to perform all of the following duties:

(1) Study the issue of hospitals reporting information regarding their performance in meeting measures for hospital inpatient and outpatient services, including how such reports are made in other states;

(2) Provide the Director with ongoing advice on all of the following: (a) the issue of hospitals reporting performance measure information, (b) disseminating the information reported by hospitals, (c) making improvements to the reports and dissemination of information, (d) making changes to the information collection requirements and dissemination methods, and (e) making recommendations regarding measures for children's hospital inpatient and outpatient services;

(3) Convene a group of health care consumers, nurses, and experts in infection control to provide information about infection issues to the Council as needed for the Council to perform its duties.⁶

Data Collection and Analysis Group

The bill abolishes the Data Collection and Analysis Group, which is a group of 17 experts in data collection and analysis or a related field.⁷ The Group was required to issue a report to the Director not later than one year after the date the last of the initial Advisory Council members was appointed. The report provided advice on how any Internet web site established by the Director could include a report on each hospital's overall performance in meeting measures for inpatient and outpatient services.

Under current law, the Group continues to be required to do both of the following:

(1) Develop, on an ongoing basis, recommendations regarding measures for hospital inpatient and outpatient services;

(2) Submit to the Director guidelines to be used in determining whether a hospital's performance in meeting a particular measure should be excluded from the Internet web site established by the Director because the hospital's caseload for the diagnosis or procedure that the measure concerns is insufficient to make the hospital's

⁶ R.C. 3727.312 (repealed).

⁷ R.C. 3727.32 and 3727.321 (both repealed).

performance a reliable indicator of its ability to treat the diagnosis or perform the procedure in a quality manner.⁸

HISTORY

ACTION	DATE
Introduced	10-21-11

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⁸ R.C. 3727.32 (repealed).

