



General Assembly

**Substitute Bill No. 6548**

January Session, 2011

\*        HB06548F IN        051011        \*

**AN ACT CONCERNING THE COLLECTION OF DATA BY THE OFFICE OF HEALTH CARE ACCESS DIVISION OF THE DEPARTMENT OF PUBLIC HEALTH.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Section 19a-654 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3       (a) As used in this section:

4       (1) "Patient-identifiable data" means any information that identifies  
5 or may reasonably be used as a basis to identify an individual patient;  
6 and

7       (2) "De-identified patient data" means any information that meets  
8 the requirements for de-identification of protected health information  
9 as set forth in 45 CFR 164.514.

10       (b) The Office of Health Care Access division of the Department of  
11 Public Health shall require short-term acute care general or children's  
12 hospitals to submit [such data, including] patient-identifiable inpatient  
13 discharge data, as it deems necessary to fulfill the responsibilities of  
14 the office. Such data shall include data taken from patient medical  
15 record abstracts and [hospital] bills. The office shall specify the timing  
16 and format of such [submission shall be specified by the office]  
17 submissions. [The data may be submitted through a contractual

18 arrangement with an intermediary. If the data is submitted] If a  
19 hospital submits data through an intermediary, the hospital shall  
20 ensure that such submission of the data is timely and [that the data is]  
21 accurate. The office may conduct an audit of the data submitted [to]  
22 through such intermediary in order to verify its accuracy. [Individual  
23 patient and physician data identified by proper name or personal  
24 identification code submitted pursuant to this section shall be kept  
25 confidential, but aggregate reports from which individual patient and  
26 physician data cannot be identified shall be available to the public.]

27 (c) Except as otherwise provided in this subsection, patient-  
28 identifiable data received by the office shall be kept confidential and  
29 shall not be considered public records or files subject to disclosure  
30 under the Freedom of Information Act, as defined in section 1-200. The  
31 office may release de-identified patient data or aggregate patient data  
32 to the public in a manner consistent with the provisions of 45 CFR  
33 164.514. Any de-identified patient data released by the office shall  
34 exclude provider, physician and payer organization names or codes  
35 and shall be kept confidential by the recipient. The office may not  
36 release patient-identifiable data except as provided for in section 19a-  
37 25 and regulations adopted pursuant to said section. No individual or  
38 entity receiving patient-identifiable data may release such data in any  
39 manner that may result in an individual patient, physician, provider or  
40 payer being identified. The office shall impose a reasonable, cost-based  
41 fee for any patient data provided to a nongovernmental entity.

42 (d) The Commissioner of Public Health shall adopt regulations, in  
43 accordance with the provisions of chapter 54, to carry out the  
44 provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	19a-654

**PH**      *Joint Favorable Subst.*

**GAE**      *Joint Favorable*

**FIN**      *Joint Favorable*