

## SENATE AMENDMENTS TO SENATE BILL 23

By COMMITTEE ON HEALTH CARE

March 21

1 On page 1 of the printed bill, delete lines 5 through 29 and delete pages 2 and 3 and insert:

2 “**SECTION 1.** ORS 442.120, as amended by section 7, chapter 50, Oregon Laws 2018, is amended  
3 to read:

4 “442.120. (1) In order to provide data essential for health planning programs:

5 “[*(1) The Oregon Health Authority may request, by July 1 of each year, each general hospital to*  
6 *file with the authority ambulatory surgery and inpatient discharge abstract records covering all pa-*  
7 *tients discharged during the preceding calendar year. The ambulatory surgery and inpatient discharge*  
8 *abstract record for each patient must include the following information, and may include other infor-*  
9 *mation deemed necessary by the authority for developing or evaluating statewide health policy:]*

10 “[*(a) Date of birth;*]

11 “[*(b) Sex;*]

12 “[*(c) Race and ethnicity;*]

13 “[*(d) Primary language;*]

14 “[*(e) Disability;*]

15 “[*(f) Zip code;*]

16 “[*(g) Inpatient admission date or outpatient service date;*]

17 “[*(h) Inpatient discharge date;*]

18 “[*(i) Type of discharge;*]

19 “[*(j) Diagnostic related group or diagnosis;*]

20 “[*(k) Type of procedure performed;*]

21 “[*(L) Expected source of payment, if available;*]

22 “[*(m) Hospital identification number; and*]

23 “[*(n) Total hospital charges.*]

24 “[*(2) By July 1 of each year, the authority may request from ambulatory surgical centers licensed*  
25 *under ORS 441.015 ambulatory surgery discharge abstract records covering all patients admitted dur-*  
26 *ing the preceding year. Ambulatory surgery discharge abstract records must include information simi-*  
27 *lar to that requested from general hospitals under subsection (1) of this section.]*

28 “[*(3) By July 1 of each year, the authority may request from extended stay centers licensed under*  
29 *section 2, chapter 50, Oregon Laws 2018, extended stay center discharge abstract records covering all*  
30 *patients admitted during the preceding year. Extended stay center discharge abstract records must in-*  
31 *clude information prescribed by the authority by rule.]*

32 “[*(4) In lieu of abstracting and compiling the records itself, the authority may solicit the voluntary*  
33 *submission of the data described in subsections (1) to (3) of this section to enable the authority to carry*  
34 *out its responsibilities under this section. If such data are not available to the authority on an annual*  
35 *and timely basis,*]

1       “(a) The **Oregon Health Authority shall obtain directly from each hospital licensed to op-**  
2 **erate in this state, or from a third party working on behalf of or by contract with the hos-**  
3 **pital, the following information prescribed by the authority by rule:**

4       **“(A) Ambulatory surgery discharge abstract records;**

5       **“(B) Inpatient discharge abstract records; and**

6       **“(C) Emergency department discharge abstract records.**

7       **“(b) The authority shall obtain directly from each ambulatory surgical center licensed to**  
8 **operate in this state, or from a third party working on behalf of or by contract with the**  
9 **ambulatory surgical center, the following information prescribed by the authority by rule:**

10       **“(A) Ambulatory surgery discharge abstract records; and**

11       **“(B) Discharge abstract records of patients discharged from extended stay centers li-**  
12 **censed under section 2, chapter 50, Oregon Laws 2018, that are affiliated with the ambulatory**  
13 **surgical center.**

14       **“(2) The authority may establish by rule a fee to be charged to each [hospital,] ambulatory**  
15 **surgical center [or extended stay center].**

16       “[(5)] **(3) The fee established under subsection [(4)] (2) of this section may not exceed the cost**  
17 **of abstracting and compiling the records.**

18       “[(6)] **(4) The authority may specify by rule the form in which records are to be submitted. If**  
19 **the form adopted by rule requires conversion from the form regularly used by a hospital, ambulatory**  
20 **surgical center or extended stay center, reasonable costs of such conversion shall be paid by the**  
21 **authority.**

22       “[(7)] *Abstract records must include a patient identifier that allows for the statistical matching of*  
23 *records over time to permit public studies of issues related to clinical practices, health service utiliza-*  
24 *tion and health outcomes. Provision of such a patient identifier must not allow for identification of the*  
25 *individual patient.]*

26       “[(8)] *In addition to the records required in subsection (1) of this section, the authority may obtain*  
27 *abstract records for each patient that identify specific services, classified by International Classification*  
28 *of Disease Code, for special studies on the incidence of specific health problems or diagnostic practices.*  
29 *However, nothing in this subsection shall authorize the publication of specific data in a form that al-*  
30 *lows identification of individual patients or licensed health care professionals.]*

31       “[(9)] **(5) The authority may provide by rule for the submission of ambulatory surgery, inpa-**  
32 **tient and emergency department discharge abstract records for enrollees in a health mainte-**  
33 **nance organization [from a hospital, ambulatory surgical center or extended stay center associated with**  
34 **such an organization] in a form the authority determines appropriate to the authority’s needs for**  
35 **[such] the data and the organization’s record keeping and reporting systems for charges and ser-**  
36 **vices.**

37       **“(6) The authority shall notify any entity submitting data under this section of any**  
38 **changes to the data sets that must be submitted, no later than July 1 of the calendar year**  
39 **preceding the effective date of the changes.**

40       **“(7) The authority may contract with a third party to receive and process the records**  
41 **submitted under this section.**

42       **“SECTION 2. ORS 442.120 is added to and made a part of ORS chapter 442.”.**