

By Senator Brandes

24-01187-18

20181458__

1 A bill to be entitled
2 An act relating to patient-safety culture surveys;
3 amending s. 408.05, F.S.; requiring the Agency for
4 Health Care Administration to develop surveys to
5 assess patient-safety culture in certain health care
6 facilities; requiring such surveys to be submitted
7 anonymously; requiring the agency to review certain
8 survey products to develop the surveys; providing
9 applicability; amending s. 408.061, F.S.; revising
10 requirements for the submission of health care data to
11 the agency; amending s. 408.810, F.S.; requiring the
12 submission of patient-safety culture survey data as a
13 condition of licensure; providing an appropriation;
14 providing an effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Present paragraphs (d) through (j) of subsection
19 (3) of section 408.05, Florida Statutes, are redesignated as
20 paragraphs (e) through (k), respectively, present paragraph (j)
21 is amended, and a new paragraph (d) is added to that subsection,
22 to read:

23 408.05 Florida Center for Health Information and
24 Transparency.—

25 (3) HEALTH INFORMATION TRANSPARENCY.—In order to
26 disseminate and facilitate the availability of comparable and
27 uniform health information, the agency shall perform the
28 following functions:

29 (d) Design a patient-safety culture survey or surveys to be

24-01187-18

20181458__

30 completed annually by staff of each hospital and ambulatory
31 surgical center licensed under chapter 395. The survey must be
32 designed to measure aspects of patient-safety culture, including
33 the frequency of adverse events, the quality of handoffs and
34 transitions, comfort in reporting a potential problem or error,
35 the level of teamwork within hospital units and the facility as
36 a whole, staff compliance with patient-safety regulations and
37 guidelines, staff perception of facility support for patient
38 safety, and an indication from the staff member as to whether he
39 or she would undergo a health care service or procedure at the
40 facility. The survey must be submitted anonymously to encourage
41 staff employed by or working in the facility to complete the
42 survey. The agency shall review and analyze nationally
43 recognized patient-safety culture survey products, including,
44 but not limited to, the patient-safety surveys developed by the
45 federal Agency for Healthcare Research and Quality and the
46 Safety Attitudes Questionnaire developed by the University of
47 Texas, in developing the patient safety culture survey. This
48 paragraph does not apply to licensed facilities operating
49 exclusively as state facilities.

50 (k)(j) Conduct and make available the results of special
51 health surveys, including facility patient-safety culture
52 surveys, health care research, and health care evaluations
53 conducted or supported under this section. Each year the center
54 shall select and analyze one or more research topics that can be
55 investigated using the data available pursuant to paragraph (c).
56 The selected topics must focus on producing actionable
57 information for improving quality of care and reducing costs.
58 The first topic selected by the center must address preventable

24-01187-18

20181458__

59 hospitalizations.

60 Section 2. Paragraph (a) of subsection (1) of section
61 408.061, Florida Statutes, is amended to read:

62 408.061 Data collection; uniform systems of financial
63 reporting; information relating to physician charges;
64 confidential information; immunity.—

65 (1) The agency shall require the submission by health care
66 facilities, health care providers, and health insurers of data
67 necessary to carry out the agency's duties and to facilitate
68 transparency in health care pricing data and quality measures.
69 Specifications for data to be collected under this section shall
70 be developed by the agency and applicable contract vendors, with
71 the assistance of technical advisory panels including
72 representatives of affected entities, consumers, purchasers, and
73 such other interested parties as may be determined by the
74 agency.

75 (a) Data submitted by health care facilities, including the
76 facilities as defined in chapter 395, shall include, but are not
77 limited to: case-mix data, patient admission and discharge data,
78 hospital emergency department data which shall include the
79 number of patients treated in the emergency department of a
80 licensed hospital reported by patient acuity level, data on
81 hospital-acquired infections as specified by rule, data on
82 complications as specified by rule, data on readmissions as
83 specified by rule, with patient and provider-specific
84 identifiers included, actual charge data by diagnostic groups or
85 other bundled groupings as specified by rule, facility patient-
86 safety culture surveys, financial data, accounting data,
87 operating expenses, expenses incurred for rendering services to

24-01187-18

20181458__

88 patients who cannot or do not pay, interest charges,
89 depreciation expenses based on the expected useful life of the
90 property and equipment involved, and demographic data. The
91 agency shall adopt nationally recognized risk adjustment
92 methodologies or software consistent with the standards of the
93 Agency for Healthcare Research and Quality and as selected by
94 the agency for all data submitted as required by this section.
95 Data may be obtained from documents such as, but not limited to:
96 leases, contracts, debt instruments, itemized patient statements
97 or bills, medical record abstracts, and related diagnostic
98 information. Reported data elements shall be reported
99 electronically in accordance with rule 59E-7.012, Florida
100 Administrative Code. Data submitted shall be certified by the
101 chief executive officer or an appropriate and duly authorized
102 representative or employee of the licensed facility that the
103 information submitted is true and accurate.

104 Section 3. Subsection (11) is added to section 408.810,
105 Florida Statutes, to read:

106 408.810 Minimum licensure requirements.—In addition to the
107 licensure requirements specified in this part, authorizing
108 statutes, and applicable rules, each applicant and licensee must
109 comply with the requirements of this section in order to obtain
110 and maintain a license.

111 (11) Each hospital and ambulatory surgical center licensed
112 under chapter 395 shall submit facility patient-safety culture
113 surveys, as described in s. 408.05(3), to the agency in
114 accordance with applicable rules.

115 Section 4. For the 2018-2019 fiscal year, one full-time
116 equivalent position with associated salary rate of 41,106 is

24-01187-18

20181458__

117 authorized, and the sum of \$352,919 in recurring funds from the
118 Health Care Trust Fund is appropriated to the Agency for Health
119 Care Administration, for the purpose of implementing this act.

120 Section 5. This act shall take effect July 1, 2018.