

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1005

By: Adelson

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6 AS INTRODUCED

7 An Act relating to the collection of health care
8 claims data; creating the Oklahoma All Payer All
9 Provider Claims Database Act; providing short title;
10 stating legislative intent relating to the collection
11 of certain information relating to healthcare
12 services; requiring the Insurance Department to
13 promulgate rules; directing the Insurance Department
14 to develop policies regarding the collection of
15 health care data; authorizing the Department to share
16 certain information and data for certain purposes;
17 requiring the Department to administer the health
18 care database; authorizing the Department to contract
19 for the collection of the health care data; requiring
20 the Department to promulgate rules governing the
21 acquisition, compilation and dissemination of certain
22 data; specifying minimum standards for certain rules;
23 prohibiting certain information to be disclosed in
24 any manner which would identify individuals;
requiring certain entities to file health care data
with the Department; authorizing the Department to
make data available under certain conditions;
requiring the Department to annually make certain
report; providing for codification; and providing an
effective date.

21 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 6960 of Title 36, unless there
24 is created a duplication in numbering, reads as follows:

1 This act shall be known and may be cited as the "Oklahoma All
2 Payer All Provider Claims Database Act".

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 6961 of Title 36, unless there
5 is created a duplication in numbering, reads as follows:

6 A. The Legislature recognizes the urgent need to provide health
7 care consumers, third-party payors, providers and health care
8 planners with information regarding the trends in use and cost of
9 health care services for improved decision-making. This is to be
10 accomplished by compiling a uniform set of data and establishing
11 mechanisms through which the data will be disseminated.

12 B. It is the intent of the Legislature to require that the
13 information necessary for a review and comparison of utilization
14 patterns, cost, quality and quantity of health care services be
15 supplied to the health care database by all providers of health care
16 services and third-party payors to the extent required by Section 4
17 of this act and this section. The Insurance Department shall
18 promulgate by rule the types of information which shall be submitted
19 and the method of submission.

20 C. The information is to be compiled and made available in a
21 form prescribed by the Department to improve the decision-making
22 processes regarding access, identified needs, patterns of medical
23 care, price and use of health care services.

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1 SECTION 3. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 6962 of Title 36, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The Insurance Department shall develop policy regarding the
5 collection of health care data pursuant to the Oklahoma All Payer
6 All Provider Claims Database Act.

7 B. The Department is authorized to share information and data
8 with Oklahoma universities as well as other state public agencies
9 for the purposes of conducting research, policy analysis and
10 preparation of reports describing the performance of the health care
11 delivery system from public, private and quasi-public entities.

12 SECTION 4. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 6963 of Title 36, unless there
14 is created a duplication in numbering, reads as follows:

15 A. The Insurance Department shall administer the health care
16 database. In administering the health care database, the Department
17 shall receive health care data from those entities identified in
18 Section 5 of this act and provide for the dissemination of such
19 data.

20 B. The Department may contract with an organization experienced
21 in health care data collection to collect the data from the health
22 care payers and administrators identified in Section 5 of this act,
23 in order to build and maintain the database. The Department may
24 accept data submitted by associations or related organizations on

1 behalf of health care providers by entering into binding agreements
2 negotiated with such associations or related organizations to obtain
3 data required pursuant to this section.

4 C. The Department shall promulgate rules governing the
5 acquisition, compilation and dissemination of all data collected
6 pursuant to the Oklahoma All Payer All Provider Claims Database Act.
7 The rules shall provide at a minimum that:

8 1. Measures have been taken to provide system security for all
9 data and information acquired under the Oklahoma All Payer All
10 Provider Claims Database Act;

11 2. Data will be collected in the most efficient and cost-
12 effective manner for both the Department and providers of data;

13 3. Procedures will be developed to assure the confidentiality
14 of patient records;

15 4. Users may be charged for data preparation or information
16 that is beyond the routine data disseminated and that the Department
17 shall establish by the adoption of such rules a system of fees for
18 such data preparation or dissemination; and

19 5. The Department will ensure that the health care database
20 will be kept current, accurate and accessible as prescribed by
21 rules.

22 D. Data and other information collected pursuant to the
23 Oklahoma All Payer All Provider Claims Database Act shall not be
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1 disclosed by the Department or made public in any manner which would
2 identify individuals.

3 SECTION 5. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 6964 of Title 36, unless there
5 is created a duplication in numbering, reads as follows:

6 The following entities shall file health care data with the
7 Insurance Department as prescribed by the Department:

- 8 1. State-regulated commercial group insurance plans;
- 9 2. Employer-sponsored plans; and
- 10 3. Third-party administrators.

11 SECTION 6. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 6965 of Title 36, unless there
13 is created a duplication in numbering, reads as follows:

14 The Insurance Department shall make the data available to
15 interested parties on the basis prescribed by the Department and as
16 directed by rules of the Department.

17 SECTION 7. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 6966 of Title 36, unless there
19 is created a duplication in numbering, reads as follows:

20 The Insurance Department shall on or before February 1 each year
21 make a report to the Governor and the Legislature as to health care
22 data activity, including examples of policy analyses conducted and
23 purposes for which the data was disseminated and utilized, and as to
24 the progress made in compiling and making available the information

1 specified under the Oklahoma All Payer All Provider Claims Database
2 Act.

3 SECTION 8. This act shall become effective November 1, 2012.

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