

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 2400

By: Hulbert

4
5
6 AS INTRODUCED

7 An Act relating to public health and safety; creating
8 the Oklahoma Health Care Cost Reduction and
9 Transparency Act of 2014; defining certain terms;
10 requiring State Department of Health to make certain
11 information available on its website; providing that
12 certain data be considered property of state;
13 requiring certain hospitals to provide certain
14 information to the Department; requiring State Board
15 of Health to promulgate certain rules; requiring
16 hospitals and ambulatory surgical facilities to
17 provide certain information to the Department;
18 requiring Board to promulgate certain rules;
19 requiring certain hospital or ambulatory surgical
20 facility to provide certain information to patient
21 within certain time period after request; providing
22 for codification; and providing an effective date.

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

24 SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1-725 of Title 63, unless there
is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma Health
Care Cost Reduction and Transparency Act of 2014".

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-725.1 of Title 63, unless
3 there is created a duplication in numbering, reads as follows:

4 A. As defined in the Oklahoma Health Care Cost Reduction and
5 Transparency Act of 2014:

6 1. "Ambulatory surgical center" means a healthcare facility as
7 defined in Section 2657 of Title 63 of the Oklahoma Statutes;

8 2. "Board" means the State Board of Health;

9 3. "Department" means the State Department of Health;

10 4. "Health insurer" means an entity as defined in paragraph 7
11 of Section 4522 of Title 36 of the Oklahoma Statutes; and

12 5. "Hospital" means a healthcare facility defined in Section 1-
13 701 of Title 63 of the Oklahoma Statutes.

14 B. The Department shall make available to the public on its
15 website the most current price information it receives from
16 hospitals and ambulatory surgical facilities pursuant to subsections
17 A and C of Section 3 of the Oklahoma Health Care Cost Reduction and
18 Transparency Act of 2014.

19 C. Any data disclosed to the Department by a hospital or
20 ambulatory surgical facility pursuant to the Oklahoma Health Care
21 Cost Reduction and Transparency Act of 2014 shall be and will remain
22 the sole property of the facility that submitted the data. Any data
23 or product derived from the data disclosed pursuant to the Oklahoma
24 Health Care Cost Reduction and Transparency Act of 2014, including a

1 consolidation or analysis of the data, shall be and will remain the
2 sole property of the state. The Department shall not allow
3 proprietary information it receives pursuant to the Oklahoma Health
4 Care Cost Reduction and Transparency Act of 2014 to be used by any
5 person or entity for commercial purposes.

6 SECTION 3. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 1-725.2 of Title 63, unless
8 there is created a duplication in numbering, reads as follows:

9 A. Beginning with the quarter ending June 30, 2015, and
10 quarterly thereafter, each hospital that bills Medicaid shall
11 provide to the Department, utilizing electronic health records
12 software, the following information about the one hundred most
13 frequently reported admissions by diagnostic-related groups for
14 inpatients as established by the Board:

15 1. The amount that shall be charged to a patient for each
16 diagnostic-related group if all charges are paid in full without a
17 public or private third party paying for any portion of the charges;

18 2. The amount of Medicaid reimbursement for each diagnostic-
19 related group, including claims and pro rata supplemental payments;
20 and

21 3. The amount of Medicare reimbursement for each diagnostic-
22 related group. Prior to providing this information to the
23 Department, each hospital shall redact the names of the insured and
24

1 any other information that would otherwise identify such
2 individuals.

3 A hospital shall not be required to report the information
4 required by this subsection for any of the one hundred most
5 frequently reported admissions where the reporting of that
6 information reasonably could lead to the identification of the
7 person or persons admitted to the hospital in violation of the
8 federal Health Insurance Portability and Accountability Act of 1996
9 or other federal law.

10 B. The Board shall promulgate rules on or before March 1, 2015,
11 to ensure that subsection A of this section is properly implemented
12 and that hospitals report this information to the Department in a
13 uniform manner. The rules shall include the following:

14 1. The one hundred most frequently reported diagnostic-related
15 groups for inpatients for which hospitals are required to provide
16 the data set forth in subsection A of this section; and

17 2. Specific categories by which hospitals shall be grouped for
18 the purpose of disclosing this information to the public on the
19 Department's website.

20 C. Beginning with the quarter ending September 30, 2015, each
21 hospital and ambulatory surgical facility that bills Medicaid shall
22 provide to the Department, utilizing electronic health records
23 software, information on the total costs for the one hundred most
24 common surgical procedures and the fifty most common imaging

1 procedures, by volume, performed in hospital outpatient settings or
2 in ambulatory surgical facilities, along with the related CPT and
3 HCPCS codes. Hospitals and ambulatory surgical facilities shall
4 report this information in the same manner as required by paragraphs
5 1 through 3 of subsection A of this section, provided that hospitals
6 and ambulatory surgical facilities shall not be required to report
7 information where the reporting of such information reasonably could
8 lead to the identification of the person or persons admitted to the
9 hospital in violation of the federal Health Insurance Portability
10 and Accountability Act of 1996 or other federal law.

11 D. The Board shall promulgate rules on or before June 1, 2015,
12 to ensure that subsection C of this section is properly implemented
13 and that hospitals and ambulatory surgical facilities report this
14 information to the Department in a uniform manner. The rules shall
15 include the list of the one hundred most common surgical procedures
16 and the fifty most common imaging procedures, by volume, performed
17 in a hospital outpatient setting and those performed in an
18 ambulatory surgical facility, along with the related CPT and HCPCS
19 codes.

20 E. Upon request of a patient for a particular diagnostic-
21 related group, imaging procedure or surgery procedure reported in
22 this section, a hospital or ambulatory surgical facility shall
23 provide the information required by subsection A or C of this
24

1 section to the patient in writing, either electronically or by mail,
2 within three (3) business days after receiving the request.

3 SECTION 4. This act shall become effective November 1, 2014.

4

5 54-2-8166 AM 01/10/14

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24