

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1331 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 16-18-2-63.1 IS ADDED TO THE INDIANA
- 4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 1999]: **Sec. 63.1. "Committee", for purposes**
- 6 **of IC 16-19-10-6, refers to the health practitioner data advisory**
- 7 **committee established under IC 16-19-10-6(b).**
- 8 SECTION 2. IC 16-18-2-288 IS AMENDED TO READ AS
- 9 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 288. (a)
- 10 **"Practitioner", for purposes of IC 16-19-10, has the meaning set**
- 11 **forth in IC 16-19-10-2.5.**
- 12 ~~(a)~~ (b) "Practitioner", for purposes of IC 16-42-19, has the
- 13 meaning set forth in IC 16-42-19-5.
- 14 ~~(b)~~ (c) "Practitioner", for purposes of IC 16-41-14, has the
- 15 meaning set forth in IC 16-41-14-4.
- 16 ~~(c)~~ (d) "Practitioner", for purposes of IC 16-42-21, has the
- 17 meaning set forth in IC 16-42-21-3.
- 18 ~~(d)~~ (e) "Practitioner", for purposes of IC 16-42-22, has the
- 19 meaning set forth in IC 16-42-22-4.5.
- 20 SECTION 3. IC 16-19-10-2.5 IS ADDED TO THE INDIANA
- 21 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 22 [EFFECTIVE JULY 1, 1999]: **Sec. 2.5. As used in this chapter,**
- 23 **"practitioner" means any of the following:**
- 24 **(1) A licensed physician.**

- 1 (2) A licensed chiropractor.
 2 (3) A licensed podiatrist.
 3 (4) A licensed optometrist.
 4 (5) A certified registered nurse anesthetist (IC 25-23-1-1.4).
 5 (6) An advanced practice nurse (IC 25-23-1-1).
 6 (7) A physical therapist licensed under IC 25-27 or a physical
 7 therapy assistant certified under IC 25-27.
 8 (8) An occupational therapist or occupational therapist
 9 assistant certified under IC 25-23.5.
 10 (9) A social worker licensed under IC 25-23.6 or a social
 11 work assistant.

12 SECTION 4. IC 16-19-10-6 IS ADDED TO THE INDIANA
 13 CODE AS A NEW SECTION TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 1999]: **Sec. 6. (a) As used in this section**
 15 **"committee" refers to the health practitioner data advisory**
 16 **committee established under subsection (b).**

17 (b) The health practitioner data advisory committee is
 18 established.

19 (c) The committee consists of thirteen (13) members as follows:

20 (1) Four (4) individuals representing the interests of
 21 employers who:

22 (A) are purchasers of health care service plans; and

23 (B) do not provide health care services or health
 24 insurance.

25 (2) One (1) individual representing consumers who:

26 (A) does not provide health care services or health
 27 insurance; and

28 (B) is not an employer who purchases health care
 29 services.

30 (3) Three (3) practitioners representing the interests of
 31 practitioners. Not more than two (2) of the practitioners
 32 appointed under this subdivision may be licensed physicians.

33 (4) Two (2) individuals representing the interests of labor
 34 organizations.

35 (5) Two (2) individuals representing the interests of health
 36 care plans.

37 (6) One (1) individual representing state government.

38 Not more than seven (7) of the committee members may be from
 39 the same political party.

40 (d) After receiving recommendations from associations and
 41 member organizations the governor shall appoint the members of
 42 the committee. Each member serves at the pleasure of the
 43 governor. The members of the committee shall annually elect a
 44 chairperson and vice chairperson of the committee from among the
 45 members appointed under this chapter.

46 (e) Seven (7) members of the committee constitute a quorum.

1 At least seven (7) affirmative votes are necessary for the committee
2 to take official action.

3 (f) The state department and data center shall provide
4 administrative and technical support for the committee.

5 (g) Before March 1 of each year, each practitioner shall submit
6 to the committee the following information for the preceding
7 calendar year:

8 (1) With respect to inpatient services, the following:

9 (A) A severity adjusted mortality rate.

10 (B) Length of stay by diagnostic related group.

11 (C) Evaluation and management codes and their
12 frequency rate by diagnostic related group.

13 (D) Ancillary services utilization, by diagnosis code.

14 (E) Hospital services utilization.

15 (2) With respect to outpatient and office based services, the
16 following:

17 (A) Procedures by diagnosis code.

18 (B) Patient satisfaction data, including information from
19 scores and surveys.

20 (C) Procedures by place of service.

21 (h) The committee shall:

22 (1) process and analyze data regarding individual
23 practitioners that is submitted under subsection (g);

24 (2) annually prepare individual practitioner profiles based
25 on the data submitted under subsection (g); and

26 (3) prepare an annual summary report concerning the data
27 submitted under subsection (g).

28 The annual summary report must be delivered to the governor and
29 the legislative council of the general assembly.

30 SECTION 5. IC 16-19-10-7 IS ADDED TO THE INDIANA
31 CODE AS A NEW SECTION TO READ AS FOLLOWS
32 [EFFECTIVE JULY 1, 1999]: Sec. 7. When collecting information,
33 preparing practitioner profiles, or compiling reports intended to
34 compare individual practitioners, the health practitioner data
35 advisory committee shall comply with the following requirements:

36 (1) Data collection and analytical methodologies must meet
37 accepted standards of validity and reliability.

38 (2) The limitations of the data sources and analytic
39 methodologies used to develop practitioner profiles must be
40 clearly identified and acknowledged, including the
41 appropriate and inappropriate uses of the data.

42 (3) Practitioner profiles and any other information that has
43 been compiled regarding the practitioner's performance
44 must be shared for educational purposes with practitioners
45 under review before public dissemination. The practitioner's
46 profile must be sent to the individual practitioner not later

- 1 **than July 1 each year.**
- 2 **(4) When appropriate, comparisons among practitioner**
- 3 **profiles must adjust for patient case mix and other relevant**
- 4 **risk factors.**
- 5 **(5) Effective safeguards to protect against:**
 - 6 **(A) the unauthorized use or disclosure of provider**
 - 7 **profiles; and**
 - 8 **(2) the dissemination of inconsistent, incomplete, invalid,**
 - 9 **inaccurate, or subjective profile data.**
- 10 **(6) The quality and accuracy of practitioner profiles, data**
- 11 **sources, and methodologies must be evaluated regularly.**
- 12 SECTION 6. IC 16-19-10-8 IS ADDED TO THE INDIANA
- 13 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 14 [EFFECTIVE JULY 1, 1999]: **Sec. 8. (a) Profiles on individual**
- 15 **practitioners prepared under this chapter are confidential until**
- 16 **released under subsection (b).**
- 17 **(b) After the health practitioner data advisory committee has**
- 18 **compiled three (3) years of cumulative data for an individual**
- 19 **practitioner, the averaged data for the three (3) year period must**
- 20 **be made available to the public not later than September 1 of each**
- 21 **year. Each year the current data collected by March 1 must be**
- 22 **added to the data from the previous two (2) years data for each**
- 23 **individual profile."**
- 24 Page 4, after line 28, begin a new paragraph and insert:
- 25 "SECTION 9. [EFFECTIVE JULY 1, 1999] **(a) The definitions**
- 26 **under IC 16-18-2 apply to this SECTION.**
- 27 **(b) Notwithstanding IC 16-19-10-8, as added by this act, the**
- 28 **health practitioner data advisory committee shall make available**
- 29 **to the public the two (2) year cumulative data for each individual**
- 30 **practitioner that has been averaged for a two (2) year period not**
- 31 **later than September 1, 2001.**
- 32 **(c) The governor shall appoint the members of the health**
- 33 **practitioner data advisory committee before August 1, 1999.**
- 34 **(d) This SECTION expires September 2, 2001."**
- 35 Renumber all SECTIONS consecutively.
- (Reference is to HB 1331 as printed February 2, 1999.)

Representative Linder