

CHAPTER 2020-134

Committee Substitute for Committee Substitute for House Bill No. 763

An act relating to patient safety culture surveys; amending s. 395.1012, F.S.; requiring licensed facilities to biennially conduct an anonymous patient safety culture survey using an applicable federal publication; authorizing facilities to contract for the administration of such survey; requiring facilities to biennially submit patient safety culture survey data to the Agency for Health Care Administration; authorizing facilities to develop an internal action plan for a specified purpose and submit such plan to the agency; amending s. 395.1055, F.S.; conforming a cross-reference; amending s. 408.05, F.S.; requiring the agency to collect, compile, and publish patient safety culture survey data submitted by facilities; amending s. 408.061, F.S.; revising requirements for the submission of health care data to the agency; providing appropriations; providing an effective date.

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

Section 1. Subsection (4) is added to section 395.1012, Florida Statutes, to read:

395.1012 Patient safety.—

(4) Each licensed facility must, at least biennially, conduct a patient safety culture survey using the applicable Survey on Patient Safety Culture developed by the federal Agency for Healthcare Research and Quality. Each facility shall conduct the survey anonymously to encourage completion of the survey by staff working in or employed by the facility. Each facility may contract to administer the survey. Each facility shall biennially submit the survey data to the agency in a format specified by rule, which must include the survey participation rate. Each facility may develop an internal action plan between conducting surveys to identify measures to improve the survey and submit the plan to the agency.

Section 2. Paragraph (d) of subsection (14) of section 395.1055, Florida Statutes, is amended to read:

395.1055 Rules and enforcement.—

(14)

(d) Each onsite inspection must include all of the following:

1. An inspection of the program's physical facilities, clinics, and laboratories.
2. Interviews with support staff and hospital administrators.

3. A review of:

a. Randomly selected medical records and reports, including, but not limited to, advanced cardiac imaging, computed tomography, magnetic resonance imaging, cardiac ultrasound, cardiac catheterization, and surgical operative notes.

b. The program's clinical outcome data submitted to the Society of Thoracic Surgeons and the American College of Cardiology pursuant to s. 408.05(3)(l) ~~s. 408.05(3)(k)~~.

c. Mortality reports from cardiac-related deaths that occurred in the previous year.

d. Program volume data from the preceding year for interventional and electrophysiology catheterizations and surgical procedures.

Section 3. Paragraphs (d) through (k) of subsection (3) of section 408.05, Florida Statutes, are redesignated as paragraphs (e) through (l), respectively, present paragraph (j) is amended, and a new paragraph (d) is added to that subsection, to read:

408.05 Florida Center for Health Information and Transparency.—

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

(d)1. Collect, compile, and publish patient safety culture survey data submitted by a facility pursuant to s. 395.1012.

2. Designate the use of updated versions of the applicable surveys as they occur, and customize the surveys to:

a. Generate data regarding the likelihood of a respondent to seek care for the respondent and the respondent's family at the surveying facility, both in general and, for hospitals, within the respondent's specific unit or work area; and

b. Revise the units or work areas identified in the hospital survey to include a pediatric cardiology patient care unit and a pediatric cardiology surgical services unit.

3. Publish the survey results for each facility, in the aggregate, by composite measure as defined in the survey and by the applicable units or work areas within the facility.

(k)(j) Conduct and make available the results of special health surveys, including facility patient safety culture surveys, health care research, and health care evaluations conducted or supported under this section. Each year the center shall select and analyze one or more research topics that can

be investigated using the data available pursuant to paragraph (c). The selected topics must focus on producing actionable information for improving quality of care and reducing costs. The first topic selected by the center must address preventable hospitalizations.

Section 4. Paragraph (a) of subsection (1) of section 408.061, Florida Statutes, is amended to read:

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

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

(a) Data submitted by health care facilities, including the facilities as defined in chapter 395, shall include, but are not limited to: case-mix data, patient admission and discharge data, hospital emergency department data which shall include the number of patients treated in the emergency department of a licensed hospital reported by patient acuity level, data on hospital-acquired infections as specified by rule, data on complications as specified by rule, data on readmissions as specified by rule, with patient and provider-specific identifiers included, actual charge data by diagnostic groups or other bundled groupings as specified by rule, facility patient safety culture surveys, financial data, accounting data, operating expenses, expenses incurred for rendering services to patients who cannot or do not pay, interest charges, depreciation expenses based on the expected useful life of the property and equipment involved, and demographic data. The agency shall adopt nationally recognized risk adjustment methodologies or software consistent with the standards of the Agency for Healthcare Research and Quality and as selected by the agency for all data submitted as required by this section. Data may be obtained from documents such as, but not limited to: leases, contracts, debt instruments, itemized patient statements or bills, medical record abstracts, and related diagnostic information. Reported data elements shall be reported electronically in accordance with rule 59E-7.012, Florida Administrative Code. Data submitted shall be certified by the chief executive officer or an appropriate and duly authorized representative or employee of the licensed facility that the information submitted is true and accurate.

Section 5. For the 2020-2021 fiscal year, one full-time equivalent position with associated salary rate of 46,560 is authorized, and the sums of \$74,173 in recurring funds and \$87,474 in nonrecurring funds from the Health Care Trust Fund are appropriated to the Agency for Health Care

Administration, for the purpose of implementing the requirements of this act.

Section 6. This act shall take effect July 1, 2020.

Approved by the Governor June 29, 2020.

Filed in Office Secretary of State June 29, 2020.