

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Hospital Report Card Act is amended by
5 changing Sections 25 and 30 as follows:

6 (210 ILCS 86/25)

7 Sec. 25. Hospital reports.

8 (a) Individual hospitals shall prepare a quarterly report
9 including all of the following:

10 (1) Nursing hours per patient day, average daily
11 census, and average daily hours worked for each clinical
12 service area.

13 (2) Infection-related measures for the facility for
14 the specific clinical procedures and devices determined by
15 the Department by rule under 2 or more of the following
16 categories:

17 (A) Surgical procedure outcome measures.

18 (B) Surgical procedure infection control process
19 measures.

20 (C) Outcome or process measures related to
21 ventilator-associated pneumonia.

22 (D) Central vascular catheter-related bloodstream
23 infection rates in designated critical care units.

1 (3) Information required under paragraph (4) of
2 Section 2310-312 of the Department of Public Health Powers
3 and Duties Law of the Civil Administrative Code of
4 Illinois.

5 (4) Additional infection measures mandated by the
6 Centers for Medicare and Medicaid Services that are
7 reported by hospitals to the Centers for Disease Control
8 and Prevention's National Healthcare Safety Network
9 surveillance system, or its successor, and deemed relevant
10 to patient safety by the Department.

11 The infection-related measures developed by the Department
12 shall be based upon measures and methods developed by the
13 Centers for Disease Control and Prevention, the Centers for
14 Medicare and Medicaid Services, the Agency for Healthcare
15 Research and Quality, the Joint Commission on Accreditation of
16 Healthcare Organizations, or the National Quality Forum. The
17 Department may align the infection-related measures with the
18 measures and methods developed by the Centers for Disease
19 Control and Prevention, the Centers for Medicare and Medicaid
20 Services, the Agency for Healthcare Research and Quality, the
21 Joint Commission on Accreditation of Healthcare Organizations,
22 and the National Quality Forum by adding reporting measures
23 based on national health care strategies and measures deemed
24 scientifically reliable and valid for public reporting. The
25 Department shall receive approval from the State Board of
26 Health to retire measures deemed no longer scientifically valid

1 or valuable for informing quality improvement or infection
2 prevention efforts. The Department shall notify the Chairs and
3 Minority Spokespersons of the House Human Services Committee
4 and the Senate Public Health Committee of its intent to have
5 the State Board of Health take action to retire measures no
6 later than 7 business days before the meeting of the State
7 Board of Health.

8 The Department shall include interpretive guidelines for
9 infection-related indicators and, when available, shall
10 include relevant benchmark information published by national
11 organizations.

12 (b) Individual hospitals shall prepare annual reports
13 including vacancy and turnover rates for licensed nurses per
14 clinical service area.

15 (c) None of the information the Department discloses to the
16 public may be made available in any form or fashion unless the
17 information has been reviewed, adjusted, and validated
18 according to the following process:

19 (1) The Department shall organize an advisory
20 committee, including representatives from the Department,
21 public and private hospitals, direct care nursing staff,
22 physicians, academic researchers, consumers, health
23 insurance companies, organized labor, and organizations
24 representing hospitals and physicians. The advisory
25 committee must be meaningfully involved in the development
26 of all aspects of the Department's methodology for

1 collecting, analyzing, and disclosing the information
2 collected under this Act, including collection methods,
3 formatting, and methods and means for release and
4 dissemination.

5 (2) The entire methodology for collecting and
6 analyzing the data shall be disclosed to all relevant
7 organizations and to all hospitals that are the subject of
8 any information to be made available to the public before
9 any public disclosure of such information.

10 (3) Data collection and analytical methodologies shall
11 be used that meet accepted standards of validity and
12 reliability before any information is made available to the
13 public.

14 (4) The limitations of the data sources and analytic
15 methodologies used to develop comparative hospital
16 information shall be clearly identified and acknowledged,
17 including but not limited to the appropriate and
18 inappropriate uses of the data.

19 (5) To the greatest extent possible, comparative
20 hospital information initiatives shall use standard-based
21 norms derived from widely accepted provider-developed
22 practice guidelines.

23 (6) Comparative hospital information and other
24 information that the Department has compiled regarding
25 hospitals shall be shared with the hospitals under review
26 prior to public dissemination of such information and these

1 hospitals have 30 days to make corrections and to add
2 helpful explanatory comments about the information before
3 the publication.

4 (7) Comparisons among hospitals shall adjust for
5 patient case mix and other relevant risk factors and
6 control for provider peer groups, when appropriate.

7 (8) Effective safeguards to protect against the
8 unauthorized use or disclosure of hospital information
9 shall be developed and implemented.

10 (9) Effective safeguards to protect against the
11 dissemination of inconsistent, incomplete, invalid,
12 inaccurate, or subjective hospital data shall be developed
13 and implemented.

14 (10) The quality and accuracy of hospital information
15 reported under this Act and its data collection, analysis,
16 and dissemination methodologies shall be evaluated
17 regularly.

18 (11) Only the most basic identifying information from
19 mandatory reports shall be used, and information
20 identifying a patient, employee, or licensed professional
21 shall not be released. None of the information the
22 Department discloses to the public under this Act may be
23 used to establish a standard of care in a private civil
24 action.

25 (d) Quarterly reports shall be submitted, in a format set
26 forth in rules adopted by the Department, to the Department by

1 April 30, July 31, October 31, and January 31 each year for the
2 previous quarter. Data in quarterly reports must cover a period
3 ending not earlier than one month prior to submission of the
4 report. Annual reports shall be submitted by December 31 in a
5 format set forth in rules adopted by the Department to the
6 Department. All reports shall be made available to the public
7 on-site and through the Department.

8 (e) If the hospital is a division or subsidiary of another
9 entity that owns or operates other hospitals or related
10 organizations, the annual public disclosure report shall be for
11 the specific division or subsidiary and not for the other
12 entity.

13 (f) The Department shall disclose information under this
14 Section in accordance with provisions for inspection and
15 copying of public records required by the Freedom of
16 Information Act provided that such information satisfies the
17 provisions of subsection (c) of this Section.

18 (g) Notwithstanding any other provision of law, under no
19 circumstances shall the Department disclose information
20 obtained from a hospital that is confidential under Part 21 of
21 Article VIII of the Code of Civil Procedure.

22 (h) No hospital report or Department disclosure may contain
23 information identifying a patient, employee, or licensed
24 professional.

25 (Source: P.A. 98-463, eff. 8-16-13.)

1 (210 ILCS 86/30)

2 Sec. 30. Department reports. The Department of Public
3 Health shall annually submit to the General Assembly a report
4 summarizing the quarterly reports by health service area and
5 shall publish that report on its website. The Department of
6 Public Health may issue quarterly informational bulletins at
7 its discretion, summarizing all or part of the information
8 submitted in these quarterly reports. The Department shall
9 publish quality and safety measures on major public health
10 problems, such as cardiovascular disease and diabetes, that
11 have been vetted by the National Quality Forum, the Agency for
12 Healthcare Research and Quality, the Centers for Disease
13 Control and Prevention, or the Centers for Medicare and
14 Medicaid Services. The Department shall also publish
15 risk-adjusted mortality rates for each hospital based upon
16 information hospitals have already submitted to the Department
17 pursuant to their obligations to report health care information
18 under other public health reporting laws and regulations
19 outside of this Act. The published mortality rates must comply
20 with the hospital data publication process contained in
21 subsection (c) of Section 25 of this Act.

22 (Source: P.A. 93-563, eff. 1-1-04.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.