
By: Delegate Schade

Introduced and read first time: February 5, 1996

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Health Care Access and Cost Commission - Medical Data Base - Prohibition**

3 FOR the purpose of prohibiting the Health Care Access and Cost Commission from
4 requiring a certain medical care data base to collect information that identifies the
5 day and month of birth of a patient of a health care provider; and generally relating
6 to the collection of certain medical data.

7 BY repealing and reenacting, without amendments,
8 Article - Health - General
9 Section 19-1501(a) and (b)
10 Annotated Code of Maryland
11 (1990 Replacement Volume and 1995 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article - Health - General
14 Section 19-1507
15 Annotated Code of Maryland
16 (1990 Replacement Volume and 1995 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Health - General**

20 19-1501.

21 (a) In this subtitle the following words have the meanings indicated.

22 (b) "Commission" means the Maryland Health Care Access and Cost
23 Commission.

24 19-1507.

25 (a) The Commission shall establish a Maryland medical care data base to compile
26 statewide data on health services rendered by health care practitioners and office
27 facilities selected by the Commission.

1 (b) In addition to any other information the Commission may require by
2 regulation, the medical care data base shall:

3 (1) Collect for each type of patient encounter with a health care practitioner
4 or office facility designated by the Commission:

5 (i) The demographic characteristics of the patient, EXCLUDING THE
6 PATIENT'S MONTH AND DAY OF BIRTH ;

7 (ii) The principal diagnosis;

8 (iii) The procedure performed;

9 (iv) The date and location of where the procedure was performed;

10 (v) The charge for the procedure;

11 (vi) If the bill for the procedure was submitted on an assigned or
12 nonassigned basis; and

13 (vii) If applicable, a health care practitioner's universal identification
14 number;

15 (2) Collect appropriate information relating to prescription drugs for each
16 type of patient encounter with a pharmacist designated by the Commission; and

17 (3) Collect appropriate information relating to health care costs, utilization,
18 or resources from payors and governmental agencies.

19 (c) (1) The Commission shall adopt regulations governing the access and
20 retrieval of all medical claims data and other information collected and stored in the
21 medical care data base and any claims clearinghouse licensed by the Commission and may
22 set reasonable fees covering the costs of accessing and retrieving the stored data.

23 (2) These regulations shall ensure that confidential or privileged patient
24 information is kept confidential.

25 (3) Records or information protected by the privilege between a health care
26 practitioner and a patient, or otherwise required by law to be held confidential, shall be
27 filed in a manner that does not disclose the identity of the person protected.

28 (d) (1) To the extent practicable, when collecting the data required under
29 subsection (b) of this section, the Commission shall utilize any standardized claim form or
30 electronic transfer system being used by health care practitioners, office facilities, and
31 payors.

32 (2) The Commission shall develop appropriate methods for collecting the
33 data required under subsection (b) of this section on subscribers or enrollees of health
34 maintenance organizations.

35 (e) Until the provisions of § 19-1508 of this subtitle are fully implemented, where
36 appropriate, the Commission may limit the data collection under this section.

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1 (f) By October 1, 1995 and each year thereafter, the Commission shall publish an
2 annual report on those health care services selected by the Commission that:

3 (1) Describes the variation in fees charged by health care practitioners and
4 office facilities on a statewide basis and in each health service area for those health care
5 services; and

6 (2) Describes the geographic variation in the utilization of those health care
7 services.

8 (g) In developing the medical care data base, the Commission shall consult with:

9 (1) Representatives of health care practitioners, payors, and hospitals; and

10 (2) Representatives of the Health Services Cost Review Commission and
11 the Health Resources Planning Commission to ensure that the medical care data base is
12 compatible with, may be merged with, and does not duplicate information collected by the
13 Health Services Cost Review Commission hospital discharge data base, or data collected
14 by the Health Resources Planning Commission as authorized in § 19-107 of this title.

15 (i) The Commission, in consultation with the Insurance Commissioner, payors,
16 health care practitioners, and hospitals, may adopt by regulation standards for the
17 electronic submission of data and submission and transfer of the uniform claims forms
18 established under Article 48A, § 490P of the Code.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 1996.