

(PRE-FILED)

By: **Delegates Pendergrass, Kaiser, Madaleno, Cryor, Trueschler, Dumais, Frush, Heller, Sossi, Ramirez, F. Turner, Bobo, Bronrott, Cadden, G. Clagett, DeBoy, Levy, and Nathan-Pulliam Nathan-Pulliam, Barve, Benson, Boteler, Bromwell, Costa, Donoghue, Elliott, Frank, Hammen, Hubbard, Kach, Kohl, Kullen, Mandel, McDonough, Morhaim, Murray, Oaks, Rudolph, V. Turner, and Weldon**

Requested: July 22, 2005
Introduced and read first time: January 11, 2006
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 2, 2006

CHAPTER _____

1 AN ACT concerning

2 **Hospitals - Comparable Evaluation System - Health Care-Associated**
3 **Infection Information**

4 FOR the purpose of requiring a certain comparable evaluation system established by
5 the Maryland Health Care Commission to include health care-associated
6 infection information from hospitals; requiring the system to adhere, to the
7 extent possible, to certain recommendations regarding public reporting of health
8 care-associated infections; and generally relating to the inclusion of health
9 care-associated infection information from hospitals in a certain comparable
10 evaluation system.

11 BY repealing and reenacting, with amendments,
12 Article - Health - General
13 Section 19-134(e)
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2005 Supplement)

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

1 **Article - Health - General**

2 19-134.

3 (e) (1) The Commission may:

4 (i) On or before July 1, 2001, develop and implement a system to
5 comparatively evaluate the quality of care outcomes and performance measurements
6 of hospitals and ambulatory surgical facilities on an objective basis; and

7 (ii) Annually publish the summary findings of the evaluation.

8 (2) (i) The purpose of a comparable performance measurement system
9 established under this subsection is to improve the quality of care provided by
10 hospitals and ambulatory surgical facilities by establishing a common set of
11 performance measurements and disseminating the findings of the performance
12 measurements to hospitals, ambulatory surgical facilities, consumers, and interested
13 parties.14 (ii) In developing the performance measurement system, the
15 Commission shall consider the geographic location, urban or rural orientation, and
16 teaching or nonteaching status of the hospital and the ambulatory surgical facilities,
17 and the health status of the population served.18 (3) The system, where appropriate, shall solicit performance information
19 from consumers.20 (4) (i) The Commission may adopt regulations to establish the system
21 of evaluation provided under this subsection.22 (ii) Before adopting regulations to implement an evaluation system
23 under this subsection, the Commission shall:24 1. Consider the performance measurements of appropriate
25 accreditation organizations, State licensure regulations, Medicare certification
26 regulations, the quality indicator project of the Association of Maryland Hospitals and
27 Health Systems, and any other relevant performance measurements;28 2. Evaluate the desirability and feasibility of developing a
29 consumer clearinghouse on health care information using existing available data; and30 3. On or before January 1, 2001, report to the General
31 Assembly, subject to § 2-1246 of the State Government Article, on any performance
32 evaluation developed under this subsection.33 (5) The Commission may contract with a private entity to implement the
34 system required under this subsection provided that the entity is not a hospital or an
35 ambulatory surgical facility.

1 (6) (I) THE COMPARABLE EVALUATION SYSTEM ESTABLISHED UNDER
2 THIS SUBSECTION SHALL INCLUDE HEALTH CARE-ASSOCIATED INFECTION
3 INFORMATION FROM HOSPITALS.

4 (II) THE COMPARABLE EVALUATION SYSTEM SHALL ADHERE, TO
5 THE EXTENT POSSIBLE, TO THE CURRENT RECOMMENDATIONS OF THE FEDERAL
6 CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC) AND THE CDC
7 HEALTHCARE INFECTION CONTROL PRACTICES ADVISORY COMMITTEE REGARDING
8 PUBLIC REPORTING OF HEALTH CARE-ASSOCIATED INFECTIONS.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 July 1, 2006.