

SB149_L.002

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.SB13-149 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 25.5-1-204,
4 **recreate and reenact, with amendments, (1), (2), and (3) as follows:**

5 **25.5-1-204. Advisory committee to oversee the all-payer health**
6 **claims database - legislative declaration - creation - members - duties.**

7 (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT AN
8 ADVISORY COMMITTEE FOR THE ALL-PAYER HEALTH CLAIMS DATABASE
9 WOULD SUPPORT THE DATABASE IN ITS ESTABLISHED MISSION OF
10 FACILITATING THE REPORTING OF HEALTH CARE AND HEALTH QUALITY
11 DATA THAT RESULTS IN TRANSPARENT AND PUBLIC REPORTING OF SAFETY,
12 QUALITY, COST, AND EFFICIENCY INFORMATION; AND ANALYSIS OF HEALTH
13 CARE SPENDING AND UTILIZATION PATTERNS FOR PURPOSES THAT IMPROVE
14 THE POPULATION'S HEALTH, IMPROVE THE CARE EXPERIENCE, AND
15 CONTROL COSTS.

16 (2)(a) NO LATER THAN AUGUST 1, 2013, THE EXECUTIVE DIRECTOR
17 SHALL APPOINT AN ADVISORY COMMITTEE TO OVERSEE THE COLORADO
18 ALL-PAYER HEALTH CLAIMS DATABASE. THE ADVISORY COMMITTEE SHALL
19 INCLUDE THE FOLLOWING MEMBERS:

20 (I) A MEMBER OF ACADEMIA WITH EXPERIENCE IN HEALTH CARE
21 DATA AND COST EFFICIENCY RESEARCH;

22 (II) A REPRESENTATIVE OF:

23 (A) A STATEWIDE ASSOCIATION OF HOSPITALS;

24 (B) AN INTEGRATED MULTI-SPECIALTY ORGANIZATION;

25 (C) PHYSICIANS AND SURGEONS;

26 (D) AN ORGANIZATION THAT PROCESSES INSURANCE CLAIMS OR
27 CERTAIN ASPECTS OF EMPLOYEE BENEFIT PLANS FOR A SEPARATE ENTITY;

28 (E) A NONPROFIT ORGANIZATION WHO DEMONSTRATES EXPERIENCE
29 WORKING WITH EMPLOYERS TO ENHANCE VALUE AND AFFORDABILITY IN
30 HEALTH INSURANCE;

31 (F) DENTAL INSURERS;

32 (G) PHARMACISTS OR AN AFFILIATE SOCIETY;

33 (H) PHARMACY BENEFIT MANAGERS;

34 (I) A STATEWIDE ASSOCIATION OF AMBULATORY SURGICAL
35 CENTERS;

36 (III) A REPRESENTATIVE, WHO IS NOT A SUPPLIER OR BROKER OF
37 HEALTH INSURANCE, OF:



- 1 (A) SMALL EMPLOYERS THAT PURCHASE GROUP HEALTH
2 INSURANCE FOR EMPLOYEES;
- 3 (B) LARGE EMPLOYERS THAT PURCHASE HEALTH INSURANCE FOR
4 EMPLOYEES;
- 5 (C) SELF-INSURED EMPLOYERS;
- 6 (IV) A REPRESENTATIVE FROM A COMMUNITY MENTAL HEALTH
7 CENTER WHO HAS EXPERIENCE IN BEHAVIORAL HEALTH DATA COLLECTION;
- 8 (V) THREE REPRESENTATIVES WITH A DEMONSTRATED RECORD OF
9 ADVOCATING HEALTH CARE ISSUES ON BEHALF OF CONSUMERS;
- 10 (VI) TWO REPRESENTATIVES OF HEALTH INSURERS, ONE WHO
11 REPRESENTS NONPROFIT INSURERS AND ONE WHO REPRESENTS FOR-PROFIT
12 INSURERS;
- 13 (B) TWO REPRESENTATIVES OF NONPROFIT ORGANIZATIONS THAT
14 FACILITATE HEALTH INFORMATION EXCHANGE TO IMPROVE HEALTH CARE
15 FOR ALL COLORADANS;
- 16 (VII) THE EXECUTIVE DIRECTOR OR HIS OR HER DESIGNEE, SERVING
17 AS AN EX-OFFICIO MEMBER;
- 18 (VIII) THE COMMISSIONER OF INSURANCE OR HIS OR HER DESIGNEE,
19 SERVING AS AN EX-OFFICIO MEMBER;
- 20 (IX) A REPRESENTATIVE OF THE DEPARTMENT OF PERSONNEL AND
21 ADMINISTRATION, SERVING AS AN EX-OFFICIO MEMBER;
- 22 (X) THE DIRECTOR OF THE OFFICE OF INFORMATION AND
23 TECHNOLOGY OR HIS OR HER DESIGNEE, SERVING AS AN EX-OFFICIO
24 MEMBER; AND
- 25 (XI) TWO MEMBERS OF THE GENERAL ASSEMBLY, ONE FROM THE
26 MAJORITY PARTY AND ONE FROM THE MINORITY PARTY, SERVING AS
27 EX-OFFICIO MEMBERS.
- 28 (b) THE ADVISORY COMMITTEE SHALL MAKE RECOMMENDATIONS
29 TO THE EXECUTIVE DIRECTOR AND THE COLORADO ALL-PAYER HEALTH
30 CLAIMS DATABASE ADMINISTRATOR RELATED TO THE COLORADO
31 ALL-PAYER HEALTH CLAIMS DATABASE. THE RECOMMENDATIONS INCLUDE
32 THE FOLLOWING:
- 33 (I) PROCEDURES FOR THE COLLECTION, RETENTION, USE, AND
34 DISCLOSURE OF DATA FROM THE COLORADO ALL-PAYER HEALTH CLAIMS
35 DATABASE, INCLUDING PROCEDURES AND SAFEGUARDS TO PROTECT THE
36 PRIVACY, INTEGRITY, CONFIDENTIALITY AND AVAILABILITY OF ANY DATA;
- 37 (II) GUIDELINES FOR CHARGING FOR CUSTOM REPORTS FROM THE
38 COLORADO ALL-PAYER HEALTH CLAIMS DATABASE;
- 39 (III) PROCEDURES TO ENSURE COMPLIANCE WITH THE "HEALTH
40 INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996", PUB.L.
41 104-191, AS AMENDED, AND IMPLEMENTING FEDERAL REGULATIONS;

1 (IV) PROCEDURES TO ENSURE COMPLIANCE WITH OTHER STATE
2 AND FEDERAL PRIVACY LAWS; AND

3 (V) PROCEDURES FOR DATA CONFIDENTIALITY AND DATA DISPOSAL
4 IF THE COLORADO ALL-PAYER HEALTH CLAIMS DATABASE CEASES TO
5 EXIST.

6 (3) (a) THE ADMINISTRATOR SHALL PREPARE AND FILE ANNUAL
7 REPORTS TO THE LEGISLATURE BY MARCH 1 OF EACH YEAR. THE ANNUAL
8 REPORT MUST CONTAIN:

9 (I) THE USES OF THE DATA IN THE ALL-PAYER HEALTH CLAIMS
10 DATABASE;

11 (II) PUBLIC STUDIES PRODUCED BY THE ADMINISTRATOR;

12 (III) THE COST OF ADMINISTERING THE COLORADO ALL-PAYER
13 HEALTH CLAIMS DATABASE, THE SOURCES OF THE FUNDING, AND THE
14 TOTAL REVENUE TAKEN IN BY THE DATABASE;

15 (IV) THE RECIPIENTS OF THE DATA, THE PURPOSES FOR THE DATA
16 REQUESTS, AND WHETHER A FEE WAS CHARGED FOR THE DATA;

17 (V) A FEE SCHEDULE DISPLAYING THE FEES FOR PROVIDING
18 CUSTOM DATA REPORTS FROM THE COLORADO ALL-PAYER HEALTH CLAIMS
19 DATABASE.

20 (b) THE EXECUTIVE DIRECTOR SHALL REQUIRE AN EVALUATION OF
21 THE COLORADO ALL-PAYER HEALTH CLAIMS DATABASE INITIATIVE EVERY
22 FIVE YEARS BEGINNING IN 2018, TO ENSURE THAT THE DATABASE
23 ACCOMPLISHES THE GOALS OF THIS SECTION. THE REPORT MUST CONTAIN
24 METRICS THAT DOCUMENT AND DEMONSTRATE THE ACHIEVEMENTS OR
25 CHALLENGES OF THE PROGRAM GOALS.

26 **SECTION 2.** In Colorado Revised Statutes, 2-3-1203, **repeal** (3)
27 (z) (VII) as follows:

28 **2-3-1203. Sunset review of advisory committees.** (3) The
29 following dates are the dates for which the statutory authorization for the
30 designated advisory committees is scheduled for repeal:

31 (z) July 1, 2013:

32 (VII) ~~The advisory committee to establish an all-payer health~~
33 ~~claims database created in section 25.5-1-204(1), C.R.S.;~~

34 **SECTION 3. Effective date.** This act takes effect July 1, 2013.

35 **SECTION 4. Safety clause.** The general assembly hereby finds,
36 determines, and declares that this act is necessary for the immediate
37 preservation of the public peace, health, and safety."

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