

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 17-1048.01 Christy Chase x2008

HOUSE BILL 17-1246

HOUSE SPONSORSHIP

Kraft-Tharp,

SENATE SPONSORSHIP

Tate and Garcia,

House Committees

Health, Insurance, & Environment

Senate Committees

Health & Human Services

A BILL FOR AN ACT

101 **CONCERNING IMPLEMENTATION OF THE STEMI TASK FORCE**
102 **RECOMMENDATIONS RELATING TO REPORTING CONFIRMED**
103 **HEART ATTACK INCIDENTS IN THE STATE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

In 2013, the general assembly enacted SB 13-225, which established a task force in the department of public health and environment (department) to study and make recommendations for developing a statewide plan to improve quality of care to STEMI heart attack patients. ("STEMI" is an acronym for ST-elevation myocardial

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
April 25, 2017

SENATE
Amended 2nd Reading
April 24, 2017

HOUSE
3rd Reading Unamended
March 27, 2017

HOUSE
Amended 2nd Reading
March 24, 2017

infarctions.) The study was to explore, among other things, the creation of a database for collecting data on STEMI care and access to aggregated STEMI data from the database for purposes of improving STEMI heart attack care.

The bill implements the following recommendations of the task force, with some modifications:

- ! Requires a hospital that is accredited as a STEMI receiving center to report to a specified national heart attack database data that is consistent with nationally recognized guidelines on individuals with confirmed heart attacks within the state;
- ! Within 30 days after receiving quarterly reports from the heart attack database, requires hospitals to submit those reports to the department;
- ! Specifies that information obtained by the department is privileged and strictly confidential, is not subject to subpoena or discovery, and is not admissible in a civil, criminal, or administrative proceeding; and
- ! Requires the department to sign a letter of commitment with the American College of Cardiology to ensure compliance with the confidentiality requirements and to request national reporting measures and metrics for benchmarking data.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 25-3-100.5, **amend**
3 the introductory portion; and **add** (2), (3), (4), (5), (6), and (7) as follows:

4 **25-3-100.5. Definitions.** As used in this ~~article~~ ARTICLE 3, unless
5 the context otherwise requires:

6 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH
7 AND ENVIRONMENT.

8 (3) "HEART ATTACK DATABASE" MEANS A NATIONAL REGISTRY
9 DESIGNED FOR HEART ATTACK DATA.

10 (4) "JOINT COMMISSION" MEANS AN INDEPENDENT, NONPROFIT
11 ORGANIZATION THAT ACCREDITS AND CERTIFIES HEALTH CARE
12 ORGANIZATIONS AND PROGRAMS IN THE UNITED STATES, OR ITS

1 SUCCESSOR ENTITY.

2 ==

3 (5) "PCI CENTER" MEANS A HOSPITAL THAT PERFORMS
4 PERCUTANEOUS CORONARY INTERVENTION (PCI), COMMONLY KNOWN AS
5 CORONARY ANGIOPLASTY, FOR ACUTE MYOCARDIAL INFARCTION.

6 (6) "STEMI" MEANS ST-ELEVATION MYOCARDIAL INFARCTION.

7 **SECTION 2.** In Colorado Revised Statutes, 25-3-116, **amend** (1);
8 and **repeal** (4) as follows:

9 **25-3-116. Department recognition of national certification -**
10 **suspension or revocation of recognition - definitions.** (1) A hospital
11 that has an accreditation, certification, or designation in stroke or STEMI
12 care from a nationally recognized accrediting body, including ~~but not~~
13 ~~limited to~~ a certification as a comprehensive stroke center or primary
14 stroke center by the Joint Commission ~~on accreditation of health care~~
15 ~~organizations and programs or its successor organization~~ or an
16 accreditation as a STEMI receiving center or STEMI referral center by
17 the ~~society for cardiovascular patient care~~ AMERICAN COLLEGE OF
18 CARDIOLOGY ACCREDITATION SERVICES or its successor organization,
19 may send information and supporting documentation to the department.
20 The department shall make a hospital's national accreditation,
21 certification, or designation available to the public in a manner
22 determined by the department.

23 (4) ~~As used in this section, unless the context otherwise requires:~~

24 (a) ~~"Department" means the department of public health and~~
25 ~~environment.~~

26 (b) ~~"STEMI" means ST-elevation myocardial infarction.~~

27 **SECTION 3.** In Colorado Revised Statutes, **add** 25-3-117 as

1 follows:

2 **25-3-117. Heart attack database - hospitals to report data on**

3 **heart attack care.** (1) (a) A HOSPITAL THAT IS ACCREDITED BY THE

4 AMERICAN COLLEGE OF CARDIOLOGY ACCREDITATION SERVICES OR ITS

5 SUCCESSOR ORGANIZATION OR ANY NATIONALLY RECOGNIZED

6 ACCREDITING BODY AS A STEMI RECEIVING CENTER SHALL REPORT TO

7 THE HEART ATTACK DATABASE DATA THAT IS CONSISTENT WITH

8 NATIONALLY RECOGNIZED GUIDELINES ON INDIVIDUALS WITH CONFIRMED

9 HEART ATTACKS WITHIN THE STATE. WITHIN THIRTY DAYS AFTER

10 RECEIVING A QUARTERLY REPORT OF A HOSPITAL'S HEART ATTACK DATA

11 FROM THE HEART ATTACK DATABASE, A HOSPITAL ACCREDITED AS A

12 STEMI RECEIVING CENTER SHALL SUBMIT THE REPORT TO THE

13 DEPARTMENT.

14 (b) HOSPITALS THAT ARE RECOGNIZED AS STEMI REFERRAL

15 CENTERS PURSUANT TO SECTION 25-3-116 AND PCI CENTERS THAT ARE

16 NOT ACCREDITED AS HEART ATTACK RECEIVING CENTERS ARE

17 ENCOURAGED TO REPORT DATA TO THE HEART ATTACK DATABASE AND

18 PROVIDE QUARTERLY DATABASE REPORTS TO THE DEPARTMENT.

19 (2) (a) REPORTS OBTAINED BY THE DEPARTMENT PURSUANT TO

20 THIS SECTION ARE:

21 (I) PRIVILEGED AND STRICTLY CONFIDENTIAL;

22 (II) NOT SUBJECT TO CIVIL SUBPOENA, NOT DISCOVERABLE, AND

23 NOT ADMISSIBLE IN A CIVIL, CRIMINAL, OR ADMINISTRATIVE PROCEEDING

24 AGAINST A HEALTH CARE FACILITY OR HEALTH CARE PROFESSIONAL; AND

25 (III) NOT DIRECTLY AVAILABLE TO THE PUBLIC.

26 (b) WITH REGARD TO REPORTS OBTAINED PURSUANT TO THIS

27 SECTION, THE DEPARTMENT SHALL PROTECT THE CONFIDENTIALITY OF

1 PATIENT RECORDS IN ACCORDANCE WITH STATE AND FEDERAL LAWS AND
2 SHALL NOT DISCLOSE PUBLICLY ANY IDENTIFYING OR PROPRIETARY
3 INFORMATION OF ANY HOSPITAL, HOSPITAL ADMINISTRATOR, HEALTH
4 CARE PROFESSIONAL, OR EMPLOYEE.

5 (3) THE DEPARTMENT SHALL SIGN A LETTER OF COMMITMENT WITH
6 ANY NATIONALLY RECOGNIZED BODY WHOSE REPORTS ARE PROVIDED TO
7 THE DEPARTMENT PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION TO
8 ENSURE COMPLIANCE WITH THE CONFIDENTIALITY REQUIREMENTS AND, AS
9 PART OF THE LETTER OF COMMITMENT, REQUEST REPORTING MEASURES
10 AND METRICS AT THE NATIONAL LEVEL FOR BENCHMARKING PURPOSES.

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