

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

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

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.

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 THE NCDR ACTION
9 REGISTRY OR A SIMILAR DATABASE OR REGISTRY, IF ONE BECOMES
10 AVAILABLE.

11 (4) "JOINT COMMISSION" MEANS AN INDEPENDENT, NONPROFIT
12 ORGANIZATION THAT ACCREDITS AND CERTIFIES HEALTH CARE

1 ORGANIZATIONS AND PROGRAMS IN THE UNITED STATES, OR ITS
2 SUCCESSOR ENTITY.

3 (5) "NCDR ACTION REGISTRY" MEANS A NATIONAL REGISTRY
4 DESIGNED FOR HEART ATTACK DATA THAT IS A PRODUCT OF THE NATIONAL
5 CARDIOVASCULAR DATA REGISTRY (NCDR) DEVELOPED BY THE
6 AMERICAN COLLEGE OF CARDIOLOGY OR ITS SUCCESSOR ENTITY.

7 (6) "PCI CENTER" MEANS A HOSPITAL THAT PERFORMS
8 PERCUTANEOUS CORONARY INTERVENTION (PCI), COMMONLY KNOWN AS
9 CORONARY ANGIOPLASTY, FOR ACUTE MYOCARDIAL INFARCTION.

10 (7) "STEMI" MEANS ST-ELEVATION MYOCARDIAL INFARCTION.

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

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

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

1 (a) ~~"Department" means the department of public health and~~
2 ~~environment.~~

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

4 **SECTION 3.** In Colorado Revised Statutes, **add** 25-3-117 as
5 follows:

6 **25-3-117. Heart attack database - hospitals to report data on**
7 **heart attack care.** (1) (a) A HOSPITAL THAT IS ACCREDITED BY THE
8 AMERICAN COLLEGE OF CARDIOLOGY ACCREDITATION SERVICES OR ITS
9 SUCCESSOR ORGANIZATION AS A STEMI RECEIVING CENTER SHALL
10 REPORT TO THE HEART ATTACK DATABASE DATA THAT IS CONSISTENT
11 WITH NATIONALLY RECOGNIZED GUIDELINES ON INDIVIDUALS WITH
12 CONFIRMED HEART ATTACKS WITHIN THE STATE. WITHIN THIRTY DAYS
13 AFTER RECEIVING A QUARTERLY REPORT OF A HOSPITAL'S HEART ATTACK
14 DATA FROM THE HEART ATTACK DATABASE, A HOSPITAL ACCREDITED AS
15 A STEMI RECEIVING CENTER SHALL SUBMIT THE REPORT TO THE
16 DEPARTMENT.

17 (b) HOSPITALS THAT ARE RECOGNIZED AS STEMI REFERRAL
18 CENTERS PURSUANT TO SECTION 25-3-116 AND PCI CENTERS THAT ARE
19 NOT ACCREDITED AS HEART ATTACK RECEIVING CENTERS ARE
20 ENCOURAGED TO REPORT DATA TO THE HEART ATTACK DATABASE AND
21 PROVIDE QUARTERLY DATABASE REPORTS TO THE DEPARTMENT.

22 (2) (a) **REPORTS** OBTAINED BY THE DEPARTMENT PURSUANT TO
23 THIS SECTION ARE:

- 24 (I) PRIVILEGED AND STRICTLY CONFIDENTIAL;
- 25 (II) NOT SUBJECT TO CIVIL SUBPOENA, NOT DISCOVERABLE, AND
- 26 NOT ADMISSIBLE IN A CIVIL, CRIMINAL, OR ADMINISTRATIVE PROCEEDING
- 27 AGAINST A HEALTH CARE FACILITY OR HEALTH CARE PROFESSIONAL; AND

1 (III) NOT DIRECTLY AVAILABLE TO THE PUBLIC.

2 (b) WITH REGARD TO REPORTS OBTAINED PURSUANT TO THIS
3 SECTION, THE DEPARTMENT SHALL PROTECT THE CONFIDENTIALITY OF
4 PATIENT RECORDS IN ACCORDANCE WITH STATE AND FEDERAL LAWS AND
5 SHALL NOT DISCLOSE PUBLICLY ANY IDENTIFYING OR PROPRIETARY
6 INFORMATION OF ANY HOSPITAL, HOSPITAL ADMINISTRATOR, HEALTH
7 CARE PROFESSIONAL, OR EMPLOYEE.

8 (3) THE DEPARTMENT SHALL SIGN A LETTER OF COMMITMENT WITH
9 THE AMERICAN COLLEGE OF CARDIOLOGY OR ITS SUCCESSOR BODY TO
10 ENSURE COMPLIANCE WITH THE CONFIDENTIALITY REQUIREMENTS AND, AS
11 PART OF THE LETTER OF COMMITMENT, REQUEST REPORTING MEASURES
12 AND METRICS AT THE NATIONAL LEVEL FOR BENCHMARKING PURPOSES.

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