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LB 73

department must periodically review the information to identify potential policies and practices of reporting facilities that are detrimental to the public health, and recommended appropriate administrative/legislative responses to such policies and practices to the Health and Human Services Committee. The department must annually report its findings and current or planned activities in this regard, if any, to the Chairperson of the committee. Section 7 of the amendment, the department is required to publish an annual statistical report from information collected under the act containing: one, the 20 most frequently performed outpatient surgical procedures; two, total persons served by each listed procedure; three, total persons served by county and state of residence and region of service; and four, average billing...bill charges for such procedure. No information may be published or disclosed by the department in a manner that identifies or may be used to identify any individual hospital or ambulatory surgical center. Under Section 8 of the amendment costs associated with the implementation of the act may be considered by the department in establishing hospital and outpatient surgical center licensing fees. General Funds may not be used to pay for such costs. Section 9 of the amendment requires the department to adopt and promulgate rules and regulations under the act which must comply with all applicable provisions of federal law and minimize additional costs to reporting facilities. Senator Cunningham has worked on this for the last two years. I thank him for his introduction, both last year and this year, for this tireless effort on this issue. I believe it represents an important step forward for the health of Nebraskans. The importance of health-related data cannot be overstated. The provisions of LB 73 in the committee amendment have been drafted to comply with all applicable provisions of federal law, specifically the Health Insurance Portability and Accountability Act of 1996, or HIPAA. I would just ask for adoption of the amendment and advancement of the bill. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Jensen. You've heard the opening on the Health and Human Services Committee amendment. Mr. Clerk.

CLERK: Mr. President, Senator Tyson would move to amend the