

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 1142

Introduced by Nordquist, 7; Campbell, 25.

Read first time January 19, 2012

Committee: Health and Human Services

A BILL

- 1 FOR AN ACT relating to health care; to adopt the Health Care
- 2 Transparency Act; and to create an advisory committee.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 4 of this act shall be known and
2 may be cited as the Health Care Transparency Act.

3 Sec. 2. The Director of Insurance shall appoint the
4 Health Care Data Base Advisory Committee to make recommendations
5 regarding the creation and implementation of the Nebraska Health Care
6 Data Base which shall provide a tool for objective analysis of health
7 care costs and quality, promote transparency for health care
8 consumers, and facilitate the reporting of health care and health
9 quality data. The Nebraska Health Care Data Base shall be used to:

10 (1) Provide information to consumers and purchasers of
11 health care;

12 (2) Determine the capacity and distribution of existing
13 health care resources;

14 (3) Identify health care needs and inform health care
15 policy;

16 (4) Evaluate the effectiveness of intervention programs
17 on improving patient outcomes;

18 (5) Review costs among various treatment settings,
19 providers, and approaches; and

20 (6) Improve the quality and affordability of patient
21 health care and health care coverage.

22 Sec. 3. (1) The Health Care Data Base Advisory Committee
23 shall be appointed within forty-five business days after the
24 effective date of this act.

25 (2) The Health Care Data Base Advisory Committee members

1 appointed by the Director of Insurance shall include, but not be
2 limited to:

3 (a) A member of academia with experience in health care
4 data and cost efficiency research;

5 (b) At least one representative of health care providers;

6 (c) A representative of small employers that purchase
7 group health insurance for employees, which representative is not an
8 insurer or insurance producer;

9 (d) A representative of large employers that purchase
10 health insurance for employees, which representative is not an
11 insurer or insurance producer;

12 (e) At least one health care consumer advocate,
13 knowledgeable about private market insurance, public health insurance
14 programs, enrollment and access, or related areas and has background
15 or experience in consumer health care advocacy;

16 (f) At least one representative of health insurers; and

17 (g) A representative of organizations that facilitate
18 health information exchange to improve health care for all
19 Nebraskans.

20 (3) The following shall serve as ex officio members of
21 the Health Care Data Base Advisory Committee:

22 (a) The Director of Insurance or his or her designee;

23 (b) The Director of Medicaid and Long-Term Care of the
24 Division of Medicaid and Long-Term Care of the Department of Health
25 and Human Services or his or her designee; and

1 (c) The Director of Public Health of the Division of
2 Public Health of the Department of Health and Human Services or his
3 or her designee.

4 Sec. 4. (1) The Health Care Data Base Advisory Committee
5 shall make recommendations to the Director of Insurance regarding the
6 Nebraska Health Care Data Base that:

7 (a) Include specific strategies to measure and collect
8 data related to health care safety and quality, utilization, health
9 outcomes, and cost;

10 (b) Focus on data elements that foster quality
11 improvement and peer group comparisons;

12 (c) Facilitate value-based, cost-effective purchasing of
13 health care services by public and private purchasers and consumers;

14 (d) Result in usable and comparable information that
15 allows public and private health care purchasers, consumers, and data
16 analysts to identify and compare health plans, health insurers,
17 health care facilities, and health care providers regarding the
18 provision of safe, cost-effective, high-quality health care services;

19 (e) Use and build upon existing data collection
20 standards, reporting requirements, and methods to establish and
21 maintain the data base in a cost-effective and efficient manner;

22 (f) Incorporate and utilize claims, eligibility, and
23 other publicly available data to the extent it is the most cost-
24 effective method of collecting data to minimize the cost and
25 administrative burden on data sources;

1 (g) Include discussions regarding the standardization of
2 the Nebraska Health Care Data Base with other states', regions', and
3 federal efforts concerning all-payer claims data bases;

4 (h) Include discussions regarding the integration of data
5 collection requirements of the health insurance exchange as required
6 by the federal Patient Protection and Affordable Care Act, Public Law
7 111-148, as amended by the federal Health Care and Education and
8 Reconciliation Act of 2010, Public Law 111-152, and any amendments
9 thereto or regulations or guidance issued under those acts;

10 (i) Include discussions regarding a limit on the number
11 of times the data base may require submission of the required data
12 elements;

13 (j) Include discussions regarding a limit on the number
14 of times the data base may change the required data elements for
15 submission in a calendar year considering administrative costs,
16 resources, and time required to fulfill the requests;

17 (k) Include discussions regarding compliance with the
18 federal Health Insurance Portability and Accountability Act of 1996,
19 Public Law 104-191, as amended, and other proprietary information
20 related to collection and release of data; and

21 (l) Discuss issues surrounding the availability of the
22 data for research and other purposes.

23 (2) On or before December 1, 2012, the Director of
24 Insurance shall report to the Governor and the Legislature the
25 recommendations of the advisory committee.