

**216.2929 Data on health-care services charges and quality and outcome measures to be publicly available on cabinet's web site -- Reports required by board.**

- (1)
  - (a) The Cabinet for Health and Family Services shall make available on its Web site information on charges for health-care services at least annually in understandable language with sufficient explanation to allow consumers to draw meaningful comparisons between every hospital and ambulatory facility, differentiated by payor if relevant, and for other provider groups as relevant data becomes available.
  - (b) Any charge information compiled and reported by the cabinet shall include the median charge and other percentiles to describe the typical charges for all of the patients treated by a provider and the total number of patients represented by all charges, and shall be risk-adjusted according to recommendations of the Health Services Data Advisory Committee.
  - (c) The report shall clearly identify the sources of data used in the report and explain limitations of the data and why differences between provider charges may be misleading. Every provider that is specifically identified in any report shall be given thirty (30) days to verify the accuracy of its data prior to public release and shall be afforded the opportunity to submit comments on its data that shall be included on the Web site and as part of any printed report of the data.
  - (d) The cabinet shall only provide linkages to organizations that publicly report comparative-charge data for Kentucky providers using data for all patients treated regardless of payor source, which may be adjusted for outliers, is risk-adjusted, and meets the requirements of paragraph (c) of this subsection.
- (2)
  - (a) The cabinet shall make information available on its Web site at least annually describing quality and outcome measures in understandable language with sufficient explanations to allow consumers to draw meaningful comparisons between every hospital and ambulatory facility in the Commonwealth and other provider groups as relevant data becomes available.
  - (b)
    1. The cabinet shall utilize only national quality indicators that have been endorsed and adopted by the Agency for Healthcare Research and Quality, the National Quality Forum, or the Centers for Medicare and Medicaid Services; or
    2. The cabinet shall provide linkages only to the following organizations that publicly report quality and outcome measures on Kentucky providers:
      - a. The Centers for Medicare and Medicaid Services;
      - b. The Agency for Healthcare Research and Quality;
      - c. The Joint Commission on the Accreditation of Health Care Organizations; and
      - d. Other organizations that publicly report relevant outcome data for Kentucky providers as determined by the Health Services Data Advisory Committee.

- (c) The cabinet shall utilize or refer the general public to only those nationally endorsed quality indicators that are based upon current scientific evidence or relevant national professional consensus and have definitions and calculation methods openly available to the general public at no charge.
- (3) Any report the cabinet disseminates or refers the public to shall:
  - (a) Not include data for a provider whose caseload of patients is insufficient to make the data a reliable indicator of the provider's performance;
  - (b) Meet the requirements of subsection (1)(c) of this section;
  - (c) Clearly identify the sources of data used in the report and explain the analytical methods used in preparing the data included in the report; and
  - (d) Explain any limitations of the data and how the data should be used by consumers.
- (4) The cabinet shall at least annually, on or before October 1, submit a report on the operations and activities of the cabinet under KRS 216.2920 to 216.2929 during the preceding fiscal year, including a copy of each study or report required or authorized under KRS 216.2920 to 216.2929 and any recommendations relating thereto.
- (5) The cabinet shall report at least biennially, no later than October 1 of each odd-numbered year, on matters pertaining to comparative health-care charges, quality, and outcomes, the effectiveness of its activities relating to educating consumers and containing health-care costs, and any recommendations regarding its data collection and dissemination activities.
- (6) The cabinet shall report at least biennially, no later than October 1 of each odd-numbered year, on the special health needs of the minority population in the Commonwealth as compared to the population in the Commonwealth as compared to the population at large. The report shall contain an overview of the health status of minority Kentuckians, shall identify the diseases and conditions experienced at disproportionate mortality and morbidity rates within the minority population, and shall make recommendations to meet the identified health needs of the minority population.
- (7) The reports required under subsections (4), (5), and (6) of this section shall be submitted to the Interim Joint Committees on Appropriations and Revenue and Health and Welfare and to the Governor.

**Effective:** July 15, 2008

**History:** Amended 2008 Ky. Acts ch. 71, sec. 4, effective July 15, 2008. -- Amended 2005 Ky. Acts ch. 99, sec. 476, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 421, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 371, sec. 29, effective July 15, 1996. -- Created 1994 Ky. Acts ch. 512, Pt. 2, sec. 10, effective July 15, 1994.

**Legislative Research Commission Note** (7/15/2008). The internal numbering of subsections (1) and (2) of this section has been altered by the Reviser of Statutes from the numbering in 2008 Ky. Acts ch. 71, sec. 4, under the authority of KRS 7.136.

**2010-2012 Budget Reference.** See State/Executive Branch Budget, 2010 (1st Extra. Sess.) Ky. Acts ch. 1, Pt. XII, Sec. 17 at 158.