

The people of the State of Oregon hereby enact this ACT TO HELP PATIENTS AND THEIR FAMILIES COMPARE THE QUALITY OF HOSPITAL CARE, which shall be made a part of ORS chapter 411:

Section 1. Findings.

- (1) Hospitals vary in the quality of services they provide: Some hospitals make errors more frequently than others; the patients at some hospitals experience complications more frequently than patients at others; some hospitals are more helpful to patients and their families than others.
- (2) Patients should be able to compare nearby hospitals based on the quality of care they provide and the prices they typically charge.
- (3) Therefore, the state should require hospitals to make comparative quality information available to the public.

Section 2. (1) Each hospital shall disclose information about the quality of care provided at the hospital and at nearby hospitals. Quality of care means past performance on quality measures, including infection rates, complication rates, mortality rates, pain control rates, patient satisfaction rates, and the percentage of patients and their families that receive instructions for post-hospital care.

(2) Each hospital must post this comparative quality of care information on its website and in a prominent place near the nurses' station on each hospital unit and in the main entrance lobby of the hospital so that the information can be seen and read by hospital visitors.

Section 3. (1) The Oregon Health Authority must adopt rules for administration of the quality disclosure program, including a list of quality measures; procedures for annual reporting of performance on the quality measures; procedures governing disclosure of quality information on hospital websites and at hospital facilities; a list of peer hospitals; and civil penalties for violations of this Act.

(2) For the first year after enactment, the hospital quality measures shall be those displayed on Medicare's hospital compare website. In future years, the Authority may adopt a different and more comprehensive list of quality measures.

(3) If the Authority adopts a different list of quality measures than Medicare, the Authority will offer the public a web-based tool that enables the public to compare hospital quality.

Section 4. (1) Any person aggrieved by a hospital's failure to disclose information about quality of care as required by this Act, may file a complaint with the Authority.

(2) Any hospital that fails to comply with this Act may be subject to a civil penalty, which shall be imposed as provided in ORS 183.745.

Section 5. For the purposes of this Act:

(1) "Nearby hospitals" means the nearest peer hospital as defined by the Oregon Health Authority and any other hospital located within 20 miles.

(2) "Hospital" means a hospital as defined in ORS 442.015 but does not include a hospital operated by the United States Department of Veterans Affairs, a special inpatient care facility, a pediatric specialty hospital providing care to children at no charge, or a hospital operated by the State of Oregon that provides only psychiatric care.

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KATE BROWN
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