

**Last update 9/14/05**

## **States requiring hospital-acquired infection public reporting**

### **Florida**

Status: Law passed in 2004. Implementation by the Agency for Health Care Administration; committee of stakeholders organized to develop implementation plan.

History: The law requiring hospital infection reporting is a brief statement requiring reporting infection rates to the public. Backed by the "Health Check" coalition. Originally contained in companion bills HB 701 (Rep. Donna Clarke) and SB 2022 (Senator J.B. Alexander); the provision on hospital infection reporting was passed as a part of a larger health bill, HB1629/SB2910.

### **Illinois**

Status: Law passed in 2003. Currently in the process of being implemented. This bill also required reporting on nurse staffing ratios.

### **Missouri**

Status: Law passed in 2004 and is currently being implemented by the Department of Health and Senior Services

### **New York**

Status: A8698 and S5855 signed by Governor Pataki into law on 7/20/05.

Last Action: Signed by Governor (7/20/05). A8698 and S5855 passed Senate (60-0); Passed Assembly (141-0).

Sponsor(s): A8698 – Assembly member Gottfried, co-sponsors – Grannis, Markey, Bradley, O'Connell, Mirones, Eddington and others. S5086 (replaced by A8698) – Senators Hannon and Spano.

Other Information: A8698 and S5855 establish public reporting of hospital infections; hospitals must begin reporting no later than January 2007.

### **Pennsylvania**

Status: Under a general law on hospital quality, the [Pennsylvania Health Care Cost Containment Council \(PHC4\)](#) was given the authority to collect and report hospital-acquired infection rates. PHC4 released a report July 13, 2005. [PHC4's report](#) is the first in the nation to use hospital-specific data to publicize the number of hospital acquired infections and their impact on patients.

## Virginia

Status: [HB1570 \(Chap. 444, Code of Virginia\)](#) signed by Governor Warner into law on 3-21-05; passed by the house and senate on 2-16-05.

Sponsor(s): Rep. Purkey.

Other Information: The bill is a simple mandate to report hospital infection rates through the CDC National Health Safety Network; information is available to the public upon request.

### **States requiring hospital-acquired infection reporting Information is not available to the public**

## Nebraska – [LB 361](#)

Bill Status: Passed by majority (40-2-2) and approved by the Governor on 4/27/05.

Sponsor(s): Sen. Bourne

Other information: Providers track and report aggregate number.

**Does not make data publicly available.**

## Nevada - [AB59](#)

Status: Signed by Governor on 5/31/05.

Last Action: Passed by house unanimously on 4/25. Sent to Senate. Referred to Cmte on Human Resources and Education. Bill left pending after Committee hearing on May 16.

Sponsor(s): OHRENSCHALL, PIERCE, LESLIE, ALLEN, ATKINSON, CLABORN, GERHARDT, HOGAN, HORNE, MANENDO, MORTENSON, MUNFORD, OCEGUERA AND SMITH; JOINT SPONSORS: SENATORS AMODEI, CARE

Other Information: Requires certain medical facilities to report hospital-acquired infections as sentinel events to the Health Division of the Department of Human Resources. **Does not make data publicly available.** Reports to the Repository for Health Care Quality Assurance.

### **States requiring study of hospital infection reporting**

## Louisiana – [S.C.R.86](#)

Bill Status: S.C.R. 86 (study resolution) adopted on 6/23;

Last Action: SB 22 (reporting bill) deferred with recommendation of study resolution.

Sponsor(s): Sen. B. Gautreaux (SB 22 and S.C.R. 86)

**Tennessee – [SB 441](#)**

Bill Status: SB 441, a study bill, was sent to Governor for signature on 5/31.

Last Action: Passed by the House on 5/24; passed by the Senate on 4/27.

Sponsor(s): SB85 Cooper; SB1893 Herron; SB270 Beavers; SB441 Fowler; SB 766 Burchett; HB472 Odom; HB499 McDaniel; HB 1342 Shepard.

Other information: SB 441 does not require mandatory reporting of hospital infections, but require a study of the issue by a Patient Safety Coalition, which includes 2 consumers out of 53 members. The coalition shall make recommendations to the department of health, which shall report these to the legislature by 12-31-05.

**Texas – [SB 872](#); [HB 734](#); [SB 357](#)**

Bill Status: SB 872, a study bill, was signed by the Governor on 6/17/05. Effective 9/1/05.

Last Action: Conference committee on SB872 approved by House and Senate, with the inclusion of a study on public reporting of health-care acquired infections.

Other Information: The study committee will make recommendations to the legislature in late 2006 (the next session begins Jan 2007). SB872 also allows for reports based on data from "niche" or specialty hospitals - these reports could include some hospital-acquired infection information, although the legislation does not specifically require it.

Sponsor(s): SB 872 Sen. Jane Nelson/ Rep. Diane Delisi; SB357 (a reporting bill) Sen. Leticia Van de Putte; HB 734 (reporting bill) Rep. Davis.

**2005 legislative session  
Hospital-acquired infection public reporting bills**

**Alabama – [SB 83](#)**

Bill Status: Failed to pass before session deadlines.

Last Action: Reported favorably from Senate Health Committee, but failed to come up for a final vote before the Senate deadline for passage of legislation.

Sponsor(s): Sen. Denton

**California - [SB 739](#)**

Bill Status: Passed by the Senate; failed to get the missing votes to pass on the Assembly floor on the final day of this year's session. It will be brought up again in the 2006 session.

Sponsor(s): Sen. Speier

Other information: The Senate committee amendment added a requirement for hospital-specific infection information to be publicly reported.

### **Colorado - [HB 1128](#)**

Bill Status: Failed to Pass.

Last Action: HB 1128 was passed by the House; reported favorably from the Senate Health Committee; sent to the Senate Appropriations Committee, where it failed because funding for other important health initiatives took priority in the committee.

Sponsor(s): Rep. Bob McCluskey-R; Sen. Bob Hagedorn-D

Other Information: National Conference of Insurance Legislators (NCOIL) model, which was based on CU model act.

### **Connecticut**

Bill Status: Failed to Pass.

Last Action: Multiple hospital infection reporting bills were proposed to Joint Committee on Public Health but all were dropped because the Committee believes that an existing public health law (Public Act 02-125) does what these bills do. The law currently requires the DPH to record "adverse events," including hospital acquired infections that result in the death or serious injury of a patient. However, there is no public information on the CT Dept of Public Health (DPH) website of adverse events or hospital infections.

Sponsor(s): The following legislators proposed hospital infection reporting bills: Representatives Claudia M. Powers, Arthur J. O'Neill, Giegler, Godfrey, Wallace, Bielawa, Villano, O'Brien, Reynolds, Giannaros, Giuliano, Heagney, Nafis.

Senators Gary D. LeBeau, Capiello, Ciotto, Gaffey, Looney, Handley.

Other Information: Current CT law does not require public reporting of hospital-acquired infection rates by hospital, nor does it require any hospital-specific infection information to be published.

### **Delaware – [HB 26](#); HR 30**

Bill Status: HB 26, a reporting bill, did not pass out of cmte.

House Resolution 30, a study bill, was introduced and passed by the house on 6/29. Session ended before it could be considered by the Senate.

Sponsor(s): HB 26 - Rep. Oberle, Co-sponsors: Ennis, Hall-Long, Maier, Schwartzkopf, Wagner, Sen. Cloutier, Connor, Sorenson.  
HR 30- Rep. Hudson; Rep. Maier, Rep. Smith, Rep. Buckworth, Rep. DiPinto, Rep. Oberle, Rep. Roy

**Georgia** – [HB 417](#); [SB 83](#)

Bill Status: Failed to pass in 2005. The bills can come up again in 2006 during the second part of the session.

Last Action: House Bill referred to Health and Human Services Cmte. (2-14-05). Senate Bill referred to Health and Human Services Comte. (1-28-05).

Sponsor(s): Reps. Alan Powell and Mark Butler; Sen. Hamrick

Other Information: HB417 is based on the CU Model Act; SB83 requires various quality of care information, including hospital-acquired infections, to be available to the public.

**Hawaii** – HB 287; HB 1513; SB90; SB465; SB1086; SB1800

Bill Status: All bills failed to pass in 2005. The bills can come up again in 2006 during the second part of the session.

Last Action: Senate bills referred to Senate Health Committee (2-18-05). House Bills referred to House Health Cmte, then Consumer Protection and Commerce Committee/Judiciary Committee (1-24-05).

Sponsor(s): SB465: Sen. Taniguchi; SB 1086: Sen. Espero; SB 1800: Menor; SB 90: Sen Ihhra; HB 287: Lee, Arakaki, Morita, Chong; HB1513: Stonebraker.

Other Information:

**Indiana** – [SB 468](#), [SB 627](#)

Bill Status: Failed to pass; session ended.

Last Action: Bills referred to Senate Committee on Health and Provider Services (1-24-05). SB 627: Referred to Sen Cmte on Health and Provider Services (1-24-05).

Sponsor(s): Sen Alting (SB 468); Sen. Smith (SB 627)

Other Information: Also, SB 627 (Sen. Smith), which deals with various quality of care measures, would require hospitals to keep infection statistics by unit and to make that information available to the public, upon request.

**Iowa** - [HF 44](#)

Bill Status: Failed to pass before session deadlines.

Last Action: Bill referred to House Human Resources

Sponsor(s): Representatives Gaskill and Murphey

**Kansas** - [HB 2283](#)

Bill Status: Failed to pass.

Last Action: Referred to House Cmte on Health and Human Services.

Sponsor(s): The House Cmte on Health and Human Services, chaired by Rep. Jim Morrison.

Other Information: The bill could be picked up again next January.

**Kentucky** – [HB76](#); SB185

Bill Status: Failed to pass; session ended

Last Action: HB76 passed by House on 2-23-05 (vote: 81-13) and referred to Senate Health and Welfare Committee; SB 185 referred to Health and Welfare Committee, no action.

Sponsor(s): Rep. D. Graham (HB 76), Sen. Jones (SB 185)

Other Information: HB 76: based on the CU model act. SB 185 requires a study of reporting hospital-acquired infection rates, to be completed by the end of 2005.

**Maryland** – [HB199](#)

Bill Status: Failed to pass; session ended.

Last Action: HB199 passed the house (133-4) on 3-17-05. Senate Finance Committee unanimously voted against the bill.

Sponsor(s): HB 199: Delegates Pendergrass, Hubbard, Barkley, Conroy, Donoghue, Dumais, Glassman, Goldwater, Gordon, Gutierrez, Heller, Kaiser, Krysiak, Lee, Love, Malone, Mandel, Menes, Montgomery, Oaks, Ross, Ramirez, F. Turner, DeBoy, Gilleland, Howard, Boutin, McComas, Benson, Bromwell, Costa, Elliott, Frank, Hammen, Hurson, Kach, Kullen, Morhiam, Murray, Nathen-Pullian, Rudolph, V. Turner, Weldon and Sossi.

Other Information: This compromise bill was backed by hospitals and infection control professionals; no opposition testimony was presented to Senate Finance Cmte.

**Active!** **Massachusetts** – [S1308](#), [S727](#), [S736](#), [HB2644](#), [HB2645](#), [HB2729](#), [HB2743](#), [HB2745](#).

Bill Status: All bills referred to Joint Cmte on Public Health

Sponsor(s): S1308: Sen. Morrissey, S727 and S736: Sen. Moore, HB2644 and HB2645: Rep. Atkins, HB 2729: Rep. Patrick, HB2743: Rep. Hall, HB2745: Rep. Hynes.

**Active!** **Michigan** – [HB4504](#)

Bill Status: HB4504 referred to Committee on Health Policy (3-16-05)

Sponsor(s): Reps. Wojno (primary), Accavitti, Sak, Whitmer, Gillard, Byrnes, Marleau and Lemmons.

Other Information: HB 4557; SB368

**Minnesota** – [HF 87](#); HF1733; SF 983; SF 986; HF2438; SF2241; SF2278

Bill Status: All bills failed to pass before end of session.

Last Action: HF2438 referred to House Cmte on Health Care Cost Containment. SF2241 referred to Health and Family Security Committee (4-18-05). The Senate has included hospital infection provisions in SF2278 (see description below). HF87, HF1733, SF983, SF986 failed to pass before legislative deadlines.

Sponsor(s): HF1733: Rep. Kahn; HF2438: Rep. Abeler; SF2241: Sen. Kiscaden; HF 87: Representatives Kahn; Sieben; Paymar; Davnie; Abeler; Greiling; Hilstrom; Ruud; Loeffler; Goodwin; Lenczewski; SF 983: Senators Marty; Skoglund; Ranum; Lourey; Dibble; SF986: Marty; Ranum; Lourey; Dibble; Anderson.

Other Information: **SF2278**, an omnibus health bill, was amended to include a provision that requires the health commissioner to establish and “encourage” the use of evidence-based guidelines which include guidelines on surgical site infections. This is significantly weaker than the other bills which require infection rates to be reported to the public. HF2438, a bill addressing health care cost containment issues, also includes mandatory reporting of hospital-acquired infections.

**Mississippi** - SB2929, SB2893; HB1361

Bill Status: All bills failed to pass.

Last Action: Referred to Committees.

Sponsor(s): Senator Cindy Hyde-Smith (SB2929); Sen. Tollison (SB2893); Rep. Janus (HB1361)

**New Hampshire** – [HB 224](#)

Bill Status: Failed to Pass.

Last Action: Referred to Health and Human Services and Elderly Affairs (1-27-05); due out of committee 3/24/05.

Sponsor(s): Reps. Kathleen Taylor, Marshall Lee Quandt; Mathew J. Quandt.

**Active!** **New Jersey** - [S1390](#), [A2644](#), A3461

Bill Status: A3461 ready for House floor vote; S1390 stuck in committee.

Last Action: A3461 reported favorably out of Assembly Health and Human Services Cmte on 5/2/05. SB 1390 referred to Senate Health, Human Services and Senior Citizens Committee (3-29-04);

Sponsor(s): SB1390 - Senators Leonard Connors-R and Henry McNamara-R; co-sp, Andrew Ciesla; A2644 - Assemblymen

Christopher Connors-R and Brian Rumpf-R; A3461 – Assemblymen Joseph Vas.

Other information: A3461 does not report outcome measures to the public, but reports very limited “process” measures that have been “identified” by the federal Centers on Medicare and Medicaid Services (CMS).

**New Mexico** – [HB934](#), SJM45, HJM62, SB775, HB823

Bill Status: All proposals failed to pass; session ended.

Last Action: **HB934** passed by the House; referred to the Senate Committee. The bill would have required public reporting of hospital-acquired infection rates.

Sponsor(s): HB 934 - Rep. Rodella; SJM 45--Sen. Michael Sanchez; HJM 62--Rep. Vaughn.

Other Information: **SJM 45** (requiring a study on hospital-acquired infection rates) passed by the Senate and placed on the Senate Calendar. **HJM 62** (requiring a study to determine if reporting hospital infection rates is in the public’s interest) passed by the House and referred to Senate Rules Committee. Two other public reporting bills were filed but had no action: **SB 775** – Sen. Jennings and **HB 823** - Rep. Anderson.

**North Carolina** – [SB391](#)

Bill Status: Failed to pass; deadline to get out of cmte has passed.

Last Action: Referred to Senate Committee on Health Care 3/7/05.

Sponsor(s): Sen. Lucas

**Active!** **Ohio** – [HB197](#)

Bill Status: Assigned to House Health Cmte. Committee hearing held on 6/1/05. No action taken.

Sponsor(s): Reps. Raussen, Gibbs, McGregor, Carmichael, C. Evans, Flowers, D. Evans, Faber, Ujvagi, Koziura, Schaffer, Blasdel.

Other Information: HB197 requires various price and performance data, including hospital-acquired infection data, to be reported to the state and made available to the public.

**Oklahoma** – SB1017

Bill Status: Failed to pass; deadline to get out of cmte has passed.

Last Action: Referred to Health and Human Services Committee (2-8-05).

Sponsor(s): Nichols

**Oregon – [HB2366](#); [SB400](#)**

Bill Status: Failed to pass. Deadline to move bills out of committees has passed.

Last Action: HB2366 referred to House Health and Human Services Committee w/ subsequent referral to Ways and Means (1-21-05); SB400 referred to Health Policy, then Ways and Means, public hearing held on 2-7-05.

Sponsor(s): Rep. Jerry Krummel (HB2366); Sen. Westlund (SB400)

**Rhode Island - [S20](#); S804**

Bill Status: Bills failed to pass out of committee before end of session.

Last Action: Bills referred to Senate Health and Human Services Committee. SB804 passed the Senate on 5/12 and was in the House Health, Education and Welfare Committee.

Sponsor(s): SB20 - Sen. John McBurney; SB804 – Sen. Gallo, Walaska, Fogarty P, Felag, Levesque.

**South Carolina – [S 799](#)**

Bill Status: Failed to pass.

Last Action: Referred Senate Committee on Medical Affairs.

Sponsor(s): Sen. Mescher

**Vermont – [HB 258](#)**

Bill Status: In House and Human Services Committee

Last Action: Public hearing held in House Human Services Cmte.

Sponsor(s): Rep. Johannah Donovan; Co-sponsors: Anne Donahue, Helen Head, Linda Myers, John Rodgers, Kurt Wright, Loren Shaw.

Other Information: Series of public hearings held, successful and informative; chair of cmte asked hospital association to work on this.

**Washington - [HB1015](#)**

Bill Status: Failed to pass.

Last Action: Public hearing held in House Health Care Committee, 2/4/05

Sponsor(s): Representatives Campbell, Morrell, Skinner, Hankins, Simpson, Schindler, Chase

**West Virginia – [HB2180](#)**

Bill Status: Failed to pass; session ended.

Last Action: Referred to Health and Human Resources Committee, 2<sup>nd</sup> referral to Judiciary.

Sponsor(s): Delegates Hamilton and Hatfield