

CHAPTER 214

HEALTH AND ENVIRONMENT

HOUSE BILL 17-1246

BY REPRESENTATIVE(S) Kraft-Tharp, Bridges, Buckner, Esgar, Ginal, Herod, Kennedy, Melton, Mitsch Bush, Pettersen, Rosenthal, Salazar, Singer, Young, Duran, Gray, Hammer;
also SENATOR(S) Tate and Garcia, Aguilar, Kagan, Kefalas, Merrifield, Moreno, Todd, Williams A.

AN ACT

CONCERNING IMPLEMENTATION OF THE STEMI TASK FORCE RECOMMENDATIONS RELATING TO REPORTING CONFIRMED HEART ATTACK INCIDENTS IN THE STATE.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 25-3-100.5, **amend** the introductory portion; and **add** (2), (3), (4), (5), and (6) as follows:

25-3-100.5. Definitions. As used in this ~~article~~ ARTICLE 3, unless the context otherwise requires:

(2) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(3) "HEART ATTACK DATABASE" MEANS A NATIONAL REGISTRY DESIGNED FOR HEART ATTACK DATA.

(4) "JOINT COMMISSION" MEANS AN INDEPENDENT, NONPROFIT ORGANIZATION THAT ACCREDITS AND CERTIFIES HEALTH CARE ORGANIZATIONS AND PROGRAMS IN THE UNITED STATES, OR ITS SUCCESSOR ENTITY.

(5) "PCI CENTER" MEANS A HOSPITAL THAT PERFORMS PERCUTANEOUS CORONARY INTERVENTION (PCI), COMMONLY KNOWN AS CORONARY ANGIOPLASTY, FOR ACUTE MYOCARDIAL INFARCTION.

(6) "STEMI" MEANS ST-ELEVATION MYOCARDIAL INFARCTION.

SECTION 2. In Colorado Revised Statutes, 25-3-116, **amend** (1); and **repeal**

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(4) as follows:

25-3-116. Department recognition of national certification - suspension or revocation of recognition - definitions. (1) A hospital that has an accreditation, certification, or designation in stroke or STEMI care from a nationally recognized accrediting body, including ~~but not limited to a certification as a comprehensive stroke center or primary stroke center by the Joint Commission on accreditation of health care organizations and programs or its successor organization~~ or an accreditation as a STEMI receiving center or STEMI referral center by the ~~society for cardiovascular patient care~~ AMERICAN COLLEGE OF CARDIOLOGY ACCREDITATION SERVICES or its successor organization, may send information and supporting documentation to the department. The department shall make a hospital's national accreditation, certification, or designation available to the public in a manner determined by the department.

(4) ~~As used in this section, unless the context otherwise requires:~~

(a) ~~"Department" means the department of public health and environment.~~

(b) ~~"STEMI" means ST-elevation myocardial infarction.~~

SECTION 3. In Colorado Revised Statutes, **add** 25-3-117 as follows:

25-3-117. Heart attack database - hospitals to report data on heart attack care. (1) (a) A HOSPITAL THAT IS ACCREDITED BY THE AMERICAN COLLEGE OF CARDIOLOGY ACCREDITATION SERVICES OR ITS SUCCESSOR ORGANIZATION OR ANY NATIONALLY RECOGNIZED ACCREDITING BODY AS A STEMI RECEIVING CENTER SHALL REPORT TO THE HEART ATTACK DATABASE DATA THAT IS CONSISTENT WITH NATIONALLY RECOGNIZED GUIDELINES ON INDIVIDUALS WITH CONFIRMED HEART ATTACKS WITHIN THE STATE. WITHIN THIRTY DAYS AFTER RECEIVING A QUARTERLY REPORT OF A HOSPITAL'S HEART ATTACK DATA FROM THE HEART ATTACK DATABASE, A HOSPITAL ACCREDITED AS A STEMI RECEIVING CENTER SHALL SUBMIT THE REPORT TO THE DEPARTMENT.

(b) HOSPITALS THAT ARE RECOGNIZED AS STEMI REFERRAL CENTERS PURSUANT TO SECTION 25-3-116 AND PCI CENTERS THAT ARE NOT ACCREDITED AS HEART ATTACK RECEIVING CENTERS ARE ENCOURAGED TO REPORT DATA TO THE HEART ATTACK DATABASE AND PROVIDE QUARTERLY DATABASE REPORTS TO THE DEPARTMENT.

(2)(a) REPORTS OBTAINED BY THE DEPARTMENT PURSUANT TO THIS SECTION ARE:

(I) PRIVILEGED AND STRICTLY CONFIDENTIAL;

(II) NOT SUBJECT TO CIVIL SUBPOENA, NOT DISCOVERABLE, AND NOT ADMISSIBLE IN A CIVIL, CRIMINAL, OR ADMINISTRATIVE PROCEEDING AGAINST A HEALTH CARE FACILITY OR HEALTH CARE PROFESSIONAL; AND

(III) NOT DIRECTLY AVAILABLE TO THE PUBLIC.

(b) WITH REGARD TO REPORTS OBTAINED PURSUANT TO THIS SECTION, THE

DEPARTMENT SHALL PROTECT THE CONFIDENTIALITY OF PATIENT RECORDS IN ACCORDANCE WITH STATE AND FEDERAL LAWS AND SHALL NOT DISCLOSE PUBLICLY ANY IDENTIFYING OR PROPRIETARY INFORMATION OF ANY HOSPITAL, HOSPITAL ADMINISTRATOR, HEALTH CARE PROFESSIONAL, OR EMPLOYEE.

(3) THE DEPARTMENT SHALL SIGN A LETTER OF COMMITMENT WITH ANY NATIONALLY RECOGNIZED BODY WHOSE REPORTS ARE PROVIDED TO THE DEPARTMENT PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION TO ENSURE COMPLIANCE WITH THE CONFIDENTIALITY REQUIREMENTS AND, AS PART OF THE LETTER OF COMMITMENT, REQUEST REPORTING MEASURES AND METRICS AT THE NATIONAL LEVEL FOR BENCHMARKING PURPOSES.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 18, 2017