

State Efforts to Enhance the Quality of Healthcare

An Overview of 2006 Legislative Activity

Rachel Tanner
Health Policy Tracking Service

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Importance of Healthcare Quality

Why is Quality Improvement so Important?

- Saving Lives

- *To Err Is Human*, published by the IOM, says 44,000 to 98,000 people die each year as a result of medical errors
- Medical errors account for the eighth leading cause of death in the United States



Importance of Healthcare Quality

Why is Quality Improvement so Important?

- Reducing Costs

- The rising cost of healthcare is a major reason quality is receiving attention across the nation
- Research findings indicate that as much as 40 percent of healthcare spending goes toward ineffective care each year



Defining Quality

What is “Quality”?

Strategies States Use to Increase Healthcare Quality:

- Implementing Healthcare Technology
- Reducing Medical Errors
- Adopting Other Quality Improvement Measures



Defining Quality

Implementing Healthcare Technology:

- Electronic Health Records
- Electronic Prescribing
- Interoperability



Defining Quality

Reducing Medical Errors:

–Medical Errors

- Wrong-Site Surgeries
- Wrong-Person Surgeries
- Other Adverse Events

–Prescription Errors

–Hospital-Acquired Infections



Defining Quality

Adopting Other Quality Improvement Measures:

- Pay-for-Performance
- Evidence-Based Care
- Measures of Patient Satisfaction



State Activity

How are states taking action?

- Legislation
- Regulation
- Executive Order
- State-Wide Programs



State Activity

Regulation

- Two 2006 regulations, one in **Alabama** and one in **Indiana**, outlines new requirements for electronic prescriptions.
- The **Pennsylvania** Department of Public Welfare is establishing a Hospital Quality Care Investment Grant Program and a Hospital Quality Incentive Pilot Program for all acute care general hospitals that receive inpatient disproportionate share hospital payments.



State Activity

Executive Orders

- **Indiana** Gov. Mitch Daniels (R) signed executive order 10 in January 2005. It requires Indiana hospitals to report medical errors in more than two dozen categories. Under the rule, which took effect Jan. 1, 2006, the state will make the errors at each hospital available for public review.
- In late 2005, **Wisconsin** Gov. Jim Doyle (D) created an “eHealth Care Quality and Patient Safety Board” through executive order 129. The board will develop a roadmap for statewide use of electronic medical records that shares information to improve patient care while protecting patient privacy.



State Activity

State-Wide Programs

- The **Oregon** Patient Safety Commission, created in 2003, launched a new medical error reporting system January 31, 2006. The reporting program is voluntary and confidential, but is intended to encourage hospitals to report serious medical errors.
- **Connecticut** Gov. M. Jodi Rell (R) and U.S. Rep. Nancy Johnson (R-Conn.) have joined a coalition of healthcare professionals to announce the launch of eHealth Connecticut, an initiative to store and share medical records in an electronic network.
- The **Michigan** Commission on Patient Safety was created in 2004.
- The **Ohio** Department of Health created a toll-free number for patient safety reports.



2006 Legislative Activity

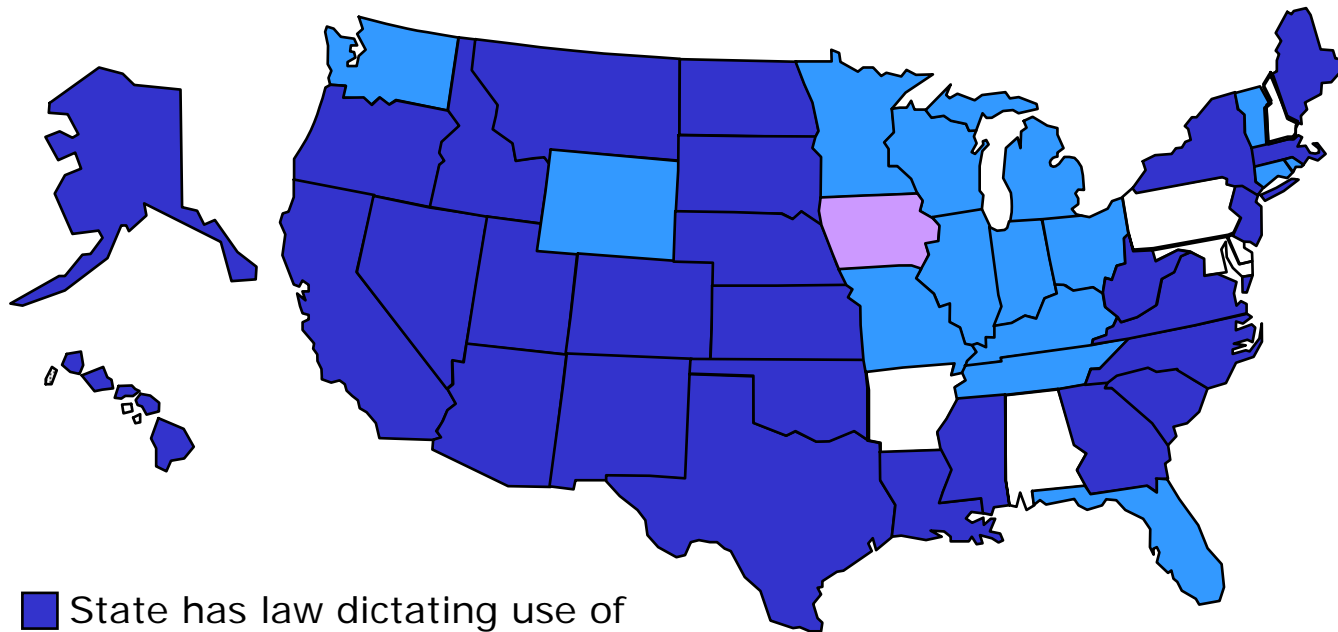
Legislative Activity

- Healthcare Quality has been a hot topic in 2006
- Legislation introduced in nearly every state
- 33 of 44 states in session this year have enacted legislation



2006 Legislative Activity

Existing Healthcare Technology Laws



- State has law dictating use of electronic health records.
- State has other health IT policy or activity
- State has both EHR law and other policy (includes RI)

* **All states have law dictating use of e-prescribing**



2006 Legislative Activity

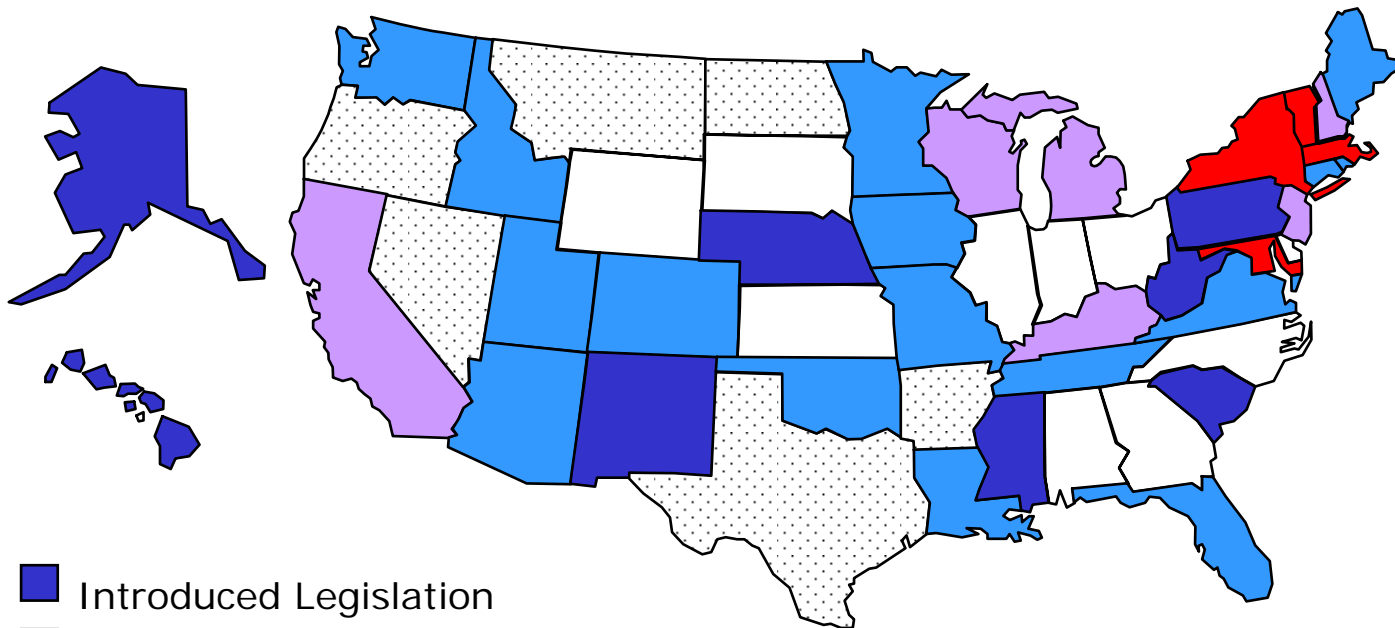
Healthcare Technology Legislation

- Lawmakers have been active in introducing health IT legislation in 2006
- In the first half of 2006, legislators introduced 150 bills in 31 states and Congress
- 65 of these bills have passed their chambers of origin
- 34 bills have been enacted



2006 Legislative Activity

Healthcare Technology Legislation 2006



- Introduced Legislation
- Legislation that has passed a chamber
- Enacted Legislation (includes R.I.)
- Governor vetoed legislation
- State not holding a 2006 regular session



2006 Legislative Activity

Healthcare Technology Legislation

- Most of the health IT legislation involves two issues:
 - The regulation of EHRs
 - The regulation of E-Prescribing
- Much of the legislation amends existing law and does not include broad changes
- A few trends emerge...



2006 Legislative Activity

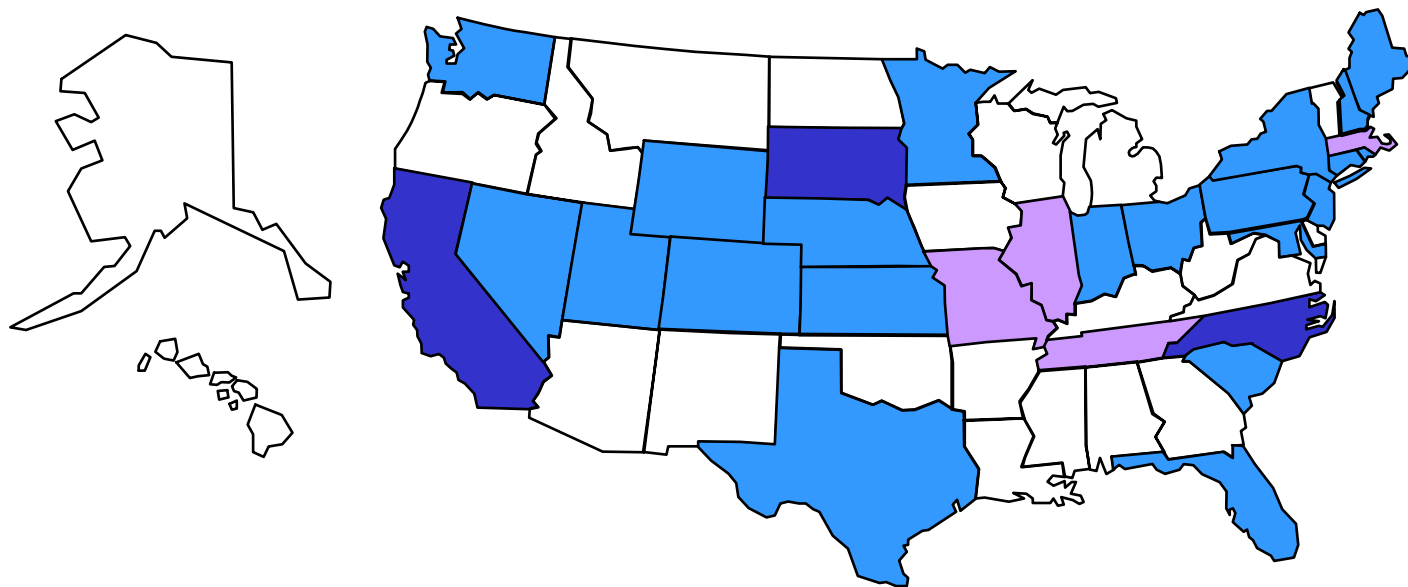
Healthcare Technology Legislation

- Trends
 - Electronically monitoring prescriptions to prevent the improper use of controlled substances
 - Requiring states agencies to study the use state-wide electronic health record plans
 - Requiring state agencies to create an infrastructure to promote interoperability



2006 Legislative Activity

Existing Medical Error Reporting Laws



- States with mandatory reporting of medication-related errors
- States with mandatory reporting of adverse/sentinel events or patient safety data (includes RI)
- States that mandate general medical errors reporting



2006 Legislative Activity

Medical Errors Legislation

- Medical error and patient safety activity in 2006 has been high
- Over 150 bills have been introduced in 38 states and the District of Columbia and Congress
- More than 45 bills have passed a chamber
- State lawmakers have enacted 26 new laws



2006 Legislative Activity

Medical Errors Legislation

- Trends
 - The bulk of legislation addresses hospital-acquired infection rate reporting:
 - Require hospitals to report infection rates to a department of health or other state agency
 - Many call for public disclosure of reported info
 - Other trends include:
 - Updating reporting requirements for medication errors, drug-related deaths or adverse events
 - Creating monitoring systems
 - Establishing task forces and committees to study ways the state can reduce medical errors



2006 Legislative Activity

Other Quality Improvement Measures

- Pay-for-Performance
- Evidence-Based Care
- Measures of Patient Satisfaction



2006 Legislative Activity

Existing Quality of Care Laws

- 13 states have created programs to assess the level of patient satisfaction in state-run healthcare programs such as Medicaid
- **Maine, Oregon, Washington** and **Wisconsin** have enacted legislation to require the use of evidence-based care, while **Massachusetts** and **Tennessee** have created initiatives to promote the use of evidence-based care.
- Five states (**Massachusetts, New York, Utah, Washington** and **Wisconsin**) have statewide P4P programs



2006 Legislative Activity

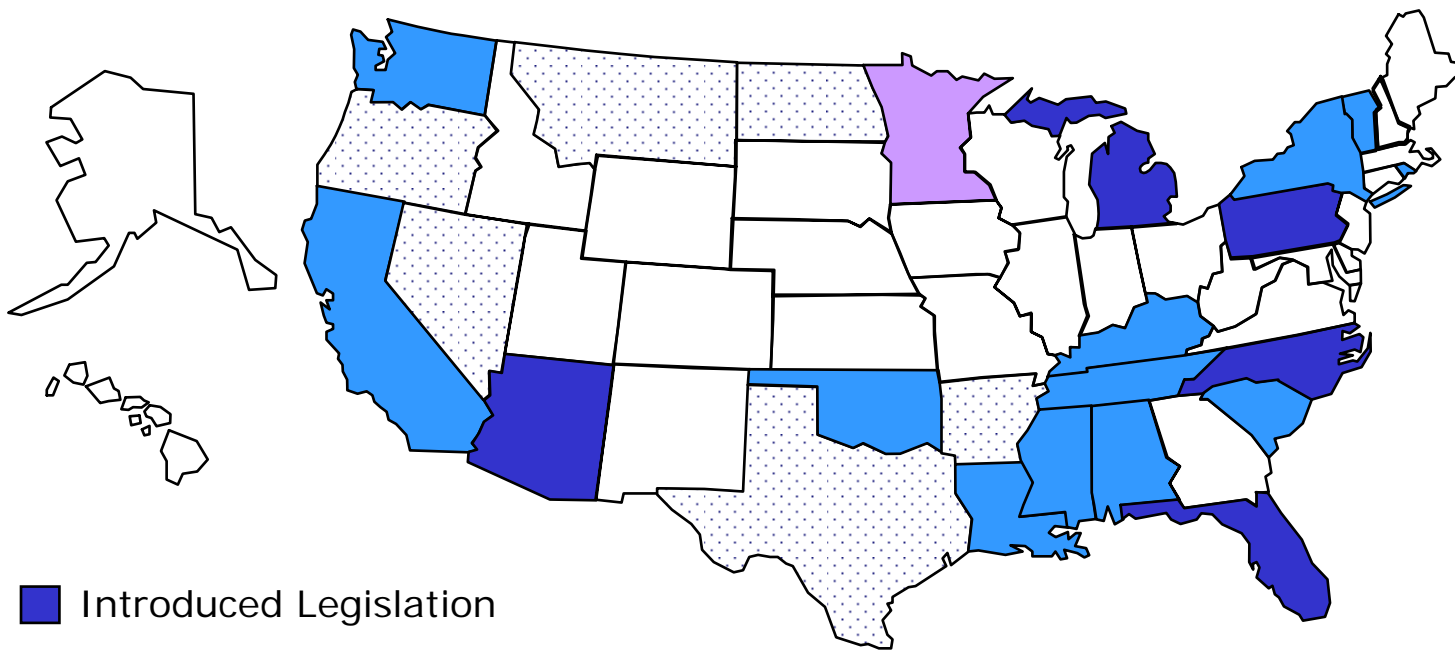
Other Quality of Care Legislation

- So far in 2006, 24 state legislatures and Congress have introduced more than 50 bills related to these other quality improvement measures
- Of the bills current before state legislatures, 30 have passed at least one house and 19 of those have been enacted.



2006 Legislative Activity

Quality of Care Legislation 2006



- Introduced Legislation
- Legislation that has passed a chamber
- Enacted Legislation (includes R.I.)
- State not holding a 2006 regular session



2006 Legislative Activity

Other Quality of Care Legislation

- Trends

- Using evidence-based care to treat certain health conditions, especially stroke (four states enacted Stroke Prevention Task Force legislation)
- Studying quality issues, especially pay-for-performance, for possible use in state health programs



Conclusion

- Improving healthcare quality has interest of lawmakers across the country
- Issue will continue to grow



For more information

Contact:

Rachel Tanner

Policy Analyst

Health Policy Tracking Service

A Thomson West Business

Rachel.Tanner@Thomson.com