

House Research Act Summary

CHAPTER: 186

SESSION: 2004 Regular Session

TOPIC: Adverse health care events reporting

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Overview

Clarifies and modifies the duties of the Department of Health and facilities to report and monitor adverse health care events. Requires certain health licensing boards to report adverse health care events.

Section

- 1 **Relation to other law.** Amends § 144.7065, subd. 10. (a) Adds “neglect” to the list of circumstances that do not constitute adverse health care events, and excludes facilities from being required to report adverse health care events as maltreatment of minors.
 - (b) Adds mandated reporters for the maltreatment of minors to the list of persons who must be informed of an adverse health care event determination. Mandated reporters are exempt from having to report adverse health care events that may also constitute maltreatment of minors.
 - (c) Makes a conforming change.
 - (d) Adds the Commissioner of Health and the director of the Office of Health Facility Complaints to the list of agencies exempt from investigating an adverse health care event. Clarifies facilities’ reporting requirements. Makes a conforming change.
 - (e) Clarifies that specified data are nonpublic and to the extent they contain data on individuals, confidential. The reporting facility is considered the subject of nonpublic data.
- 2 **Reports from licensing boards.** Adds § 144.7068. Requires some health licensing boards

Section

to report certain records to the commissioner and requires the commissioner to forward the reports to the named facilities. Facilities must reconcile the boards' reports with their own records and must report adverse health care events not already reported. A timeline under which facilities must report is described.

- 3 **Investigation; indemnification.** Amends § 147.121, subd. 2. Exempts specified Board of Medical Practice associates from liability and prosecution relating to reporting adverse health care events.
- 4 **Reports to the Commissioner of Health.** Adds § 147.155. Requires the Board of Medical Practice to maintain specified records of possible adverse health care events of which the board becomes aware. Following specified guidelines, the board must forward these records to the commissioner.
- 5 **Investigation; indemnification.** Amends § 147A.15, subd. 2. Exempts specified Board of Medical Practice associates from liability and prosecution relating to physician assistants reporting adverse health care events.
- 6 **Reports to the Commissioner of Health.** Adds § 147A.155. Requires the Board of Medical Practice to maintain specified records of possible adverse health care events of which the board becomes aware. Following specified guidelines, the board must forward these records to the commissioner.
- 7 **Investigation.** Amends § 148.264, subd. 2. Exempts specified Board of Nursing associates from liability and prosecution relating to reporting adverse health care events.
- 8 **Reports to the Commissioner of Health.** Adds § 148.267. Requires the Board of Nursing to maintain specified records of possible adverse health care events of which the board becomes aware. Following specified guidelines, the board must forward these records to the commissioner.
- 9 **Reports to the Commissioner of Health.** Adds § 151.301. Requires the Board of Pharmacy to maintain specified records of possible adverse health care events of which the board becomes aware. Following specified guidelines, the board must forward these records to the commissioner.
- 10 **Immunity.** Adds § 151.302. Exempts specified Board of Pharmacy associates from liability and prosecution relating to reporting adverse health care events.
- 11 **Investigation.** Amends § 153.25, subd. 2. Exempts specified Board of Podiatry associates from liability and prosecution relating to reporting adverse health care events.
- 12 **Reports to the Commissioner of Health.** Adds § 153.255. Requires the Board of Podiatry to maintain specified records of possible adverse health care events of which the board becomes aware. Following specified guidelines, the board must forward these records to the commissioner.
- 13 **Adverse health care events reporting system transition period.** Amends Laws 2003, ch. 99, § 7 as amended by Laws 2003, 1st Spec. Sess. ch. 14, art. 7, § 86. Clarifies that data collected under these provisions are nonpublic and confidential data, except as provided. Makes a technical change.