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HOUSE BILL 2755

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State of Washington

66th Legislature

2020 Regular Session

By Representatives Schmick, Caldier, and Cody

Read first time 01/20/20. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to transparency regarding the cost of air  
2 ambulance services; amending RCW 43.371.060; and adding a new section  
3 to chapter 18.73 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 43.371.060 and 2019 c 319 s 6 are each amended to  
6 read as follows:

7 (1)(a) Under the supervision of and through contract with the  
8 authority, the lead organization shall prepare health care data  
9 reports using the database and the statewide health performance and  
10 quality measure set. Prior to the lead organization releasing any  
11 health care data reports that use claims data, the lead organization  
12 must submit the reports to the authority for review.

13 (b) By October 31st of each year, the lead organization shall  
14 submit to the director a list of reports it anticipates producing  
15 during the following calendar year. The director may establish a  
16 public comment period not to exceed thirty days, and shall submit the  
17 list and any comment to the appropriate committees of the legislature  
18 for review.

19 (2)(a) Health care data reports that use claims data prepared by  
20 the lead organization for the legislature and the public should

1 promote awareness and transparency in the health care market by  
2 reporting on:

3 (i) Whether providers and health systems deliver efficient, high  
4 quality care; and

5 (ii) Geographic and other variations in medical care and costs as  
6 demonstrated by data available to the lead organization.

7 (b) Measures in the health care data reports should be stratified  
8 by demography, income, language, health status, and geography when  
9 feasible with available data to identify disparities in care and  
10 successful efforts to reduce disparities.

11 (c) Comparisons of costs among providers and health care systems  
12 must account for differences in the case mix and severity of illness  
13 of patients and populations, as appropriate and feasible, and must  
14 take into consideration the cost impact of subsidization for  
15 uninsured and government-sponsored patients, as well as teaching  
16 expenses, when feasible with available data.

17 (3) The lead organization may not publish any data or health care  
18 data reports that:

19 (a) Directly or indirectly identify individual patients;

20 (b) Disclose a carrier's proprietary financial information;

21 (c) Compare performance in a report generated for the general  
22 public that includes any provider in a practice with fewer than four  
23 providers; or

24 (d) Contain medicaid data that is in direct conflict with the  
25 biannual medicaid forecast.

26 (4) The lead organization may not release a report that compares  
27 and identifies providers, hospitals, or data suppliers unless:

28 (a) It allows the data supplier, the hospital, or the provider to  
29 verify the accuracy of the information submitted to the data vendor,  
30 comment on the reasonableness of conclusions reached, and submit to  
31 the lead organization and data vendor any corrections of errors with  
32 supporting evidence and comments within thirty days of receipt of the  
33 report;

34 (b) It corrects data found to be in error within a reasonable  
35 amount of time; and

36 (c) The report otherwise complies with this chapter.

37 (5) The authority and the lead organization may use claims data  
38 to identify and make available information on payers, providers, and  
39 facilities, but may not use claims data to recommend or incentivize  
40 direct contracting between providers and employers.

1       (6) The lead organization shall make information about claims  
2 data related to the provision of air ambulance service available on a  
3 web site that is accessible to the public in a searchable format by  
4 geographic region, provider, and other relevant information.

5       (7)(a) The lead organization shall distinguish in advance to the  
6 authority when it is operating in its capacity as the lead  
7 organization and when it is operating in its capacity as a private  
8 entity. Where the lead organization acts in its capacity as a private  
9 entity, it may only access data pursuant to RCW 43.371.050(4) (b),  
10 (c), or (d).

11       (b) Except as provided in RCW 43.371.050(4), claims or other data  
12 that contain direct patient identifiers or proprietary financial  
13 information must remain exclusively in the custody of the data vendor  
14 and may not be accessed by the lead organization.

15       NEW SECTION. Sec. 2. A new section is added to chapter 18.73  
16 RCW to read as follows:

17       (1) The department shall require that each ambulance service  
18 licensed under this chapter that provides air ambulance transports  
19 annually report to the department:

20       (a) The ambulance service's rates for uninsured patients  
21 receiving a transport by air and the air ambulance service's  
22 methodology for applying the rate to a transport by air; and

23       (b) A list of all of the charges made to uninsured patients for  
24 transports by air within the reporting period including information  
25 about the transport by air, such as the geographic region covered by  
26 the transport, whether the transport was between facilities or of an  
27 emergency nature, and other relevant information.

28       (2) The department shall post the information in subsection (1)  
29 of this section on its web site in a location that is accessible to  
30 the public and in a searchable format. The information on the web  
31 site may not include any information that identifies the patient or  
32 can readily be associated with the identity of the patient.

33       (3) The department shall determine the method, format, and timing  
34 for the annual reporting.

35       (4) The department may adopt rules to implement this section.

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