

Public Health Law for the Collection and Reporting of Healthcare-Associated Infections

HAI Reporting Guidelines

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AL	Dept of Health*	(L) SB 409, Reg. Sess. (Al. 2007)	x				x	x	x	x		x	x	Active bill currently before the Senate Health Committee. Hospitals required to collect data and will face civil sanctions for failure to comply
AK	Dept of Health	N 2007 AL SJR 19, LR038								x	Reporting by any healthcare provider as determined by the Dept. of Health			Both voluntary and mandatory reporting requirements Legislature put forth a resolution stipulating the creation of a task force for the development of recommendations for hospitals to disclose infection rates One of Five states who have adopted the Turning Point Model Health Act. Required to report any "disease or condition of public importance".
AZ	Dept of Health	R AZ ADMIN. CODE, §R9-6-201 - §R9-6-207 (Supp. 93-04)		x						x	Reporting by healthcare providers and clinical labs	x		Have neither considered HAI reporting laws or passed any legislation taking this matter into consideration. Director of a clinical lab must report MRSA under R9-6-204, Table 3. However, Dept. of Health, through the Arizona Administrative Code requires reporting of diseases as defined by the CDC.

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AR	Dept of Health	L AR. CODE ANN. § 9-1201- § 9-1206 (2007)					x				x		Both voluntary and mandatory reporting requirements	
CA	Dept of Health Serv.	L CAL. CODE. Health & Safety. §1288.5- §1288.9 (2006)	x				x	x	x		Infection control department oversees hospital measures to prevent infections (L & R)	x	x	The public reporting is based on the CDC's "Guidance to Public Reporting," but only includes process measures, relating to the rate at which prevention practices are used. The reporting requirements do not include the Guidance "outcome" measures, such as hospital infection rates, which would reveal whether hospital policies are actually reducing infections.

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CO	Dept. of Public Health*	L COLO. Rev. Stat. § 25-3-601-§ 25-3-607 (2006)					x		x	x (R)	x	x *	*An advisory committee will assist the dept. *Physicians who diagnose HAI, upon follow-up with patients must report those infections to the facility in which the reportable procedure was done. One of Five states who have adopted the Turning Point Model Health Act. Required to report any "disease or condition of public importance".	
CT	Dept. of Health*	L 2006 Conn. Pub. Acts 102 (Reg. Sess.)							x	x	x	x	*A committee will advise the department on specifics regarding the types of outcome and process measures to be collected, as well as how these are to be collected and reported.	
DE	Dept of Health & Social Serv.	L H.B. 47, 14th Leg. Reg. Sess. (Del. 2007), substituted by HS 1	x				x	x	x		x	x	HB47 substituted by HS1, which passed the House and the Senate, and was signed by the Governor on Jul 12, 2007.	

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FL	Agency for Health-care Admin*	L FLA. STAT. Tit. XXIX ch. 408.5 (2004) FLA STAT. Tit. XXIX, ch. 408.061 § 1(a)					X	X	X			X	X	<i>*Florida issues hospital-specific reports using the Agency for Healthcare Research and Quality (AHRQ) Patient Safety Indicators (PSI) scale.</i>
GA	Hospital Health Care Stand. Comm. for Prevention of HAIs*	L S.J. Res. 22, 36th Leg. Gen. Sess. (Ga. 2007)								X				All proposed bills have failed to pass. However, the Georgia Senate created the Health Care Standards Commission for Prevention of HAIs. <i>*The commission will study safety standards, best practices, infection rates and causes</i>
HI	Dept of Health	R HI ADMIN. RULES ch. 11-156 (2001) *												All proposed bills have failed to pass. Both proposed bills would have required public reporting. <i>*Only listed communicable diseases and those that represent a risk to the general public are mandated to be reported by healthcare providers, laboratorians and hospital administrators.</i>

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ID	Dept of Health & Welfare	R ID. ADMIN. CODE, IDAPA Section 16.02.10 (supp. 2007) *											Have yet to consider and/ or pass any pertinent legislation. * State makes provisions for certain listed diseases to be reportable by healthcare providers, laboratorians and hospital adminiistrators.	
IL	Dept of Health	L 210 ILL. COMP. STAT. 86 (2005) S.B. 0233, 95th Leg., Reg. Sess. (Il. 2007), enacted P.L. 95-0312 *	x	x			x		x		x	x	Requires two or more infection measures to be reported as stipulated by the state's Department of Public Health. The report should include process or outcome measures relating to infection rates in designated critical care units. The measures are to be based on those developed by national quality organizations and agencies. The bill also requires reporting of nurse staffing ratios. *Makes provisions for the screening and reporting MRSA . All hospitals are required to establish an MRSA Control program	

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IN	Dept of Health	R IND. ADMIN. CODE tit. 410 (2007)*										<p>All proposed bills have failed to pass. Of the proposed bills SB513 and HB1592 required public reporting of infection rates. SB 531 gives a committee and agency the authority to determine what infection information should be reported.</p> <p>* State makes provisions for certain listed diseases to be reportable by healthcare providers, laboratorians and hospital administrators.</p>		
IA	Dept of Public Health	R IA. ADMIN. CODE tit. 641 (2007)										<p>Have yet to pass any pertinent legislation</p> <p>* State makes provisions for certain listed diseases to be reportable by healthcare providers, laboratorians and hospital administrators.</p>		
KS	Dept of Health	R KAN. ADMIN. REGS. 28-1-2 (supp. 2007)* KAN.ADMIN. REGS. 28-1-4 (supp. 2007)*										<p>All proposed bills have failed to pass before crossover deadline.</p> <p>*State makes provisions for certain listed diseases to be reportable by healthcare providers, laboratorians and hospital administrators</p>		

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KY	Cabinet for Health & Family Services	R 214 KY. ADMIN. REGS. 214.010 (2005)*										Have yet to pass any pertinent legislation. * Physicians and families are to report certain diseases as determined by the Cabinet for Health and Family and Services.		
LA	Dept of Health & Hospital, Office of Public Health	R LA. ADMIN. CODE tit. 51, 101-119 (2007)*										Have yet to pass any pertinent legislation *State makes provisions for certain listed diseases to be reportable by healthcare providers, laboratorians and hospital administrators.		
ME	Dept of Health & Human Services	R CODE ME. R.§10-144 ch. 258 (2007)*										Have yet to pass any pertinent legislation * State makes provisions for certain listed diseases to be reportable by healthcare providers, laboratorians and hospital administrators.		
MD	Health-Care Commn.	L MD. CODE ANN. Health § 19-134 (2006)		x					x		x			

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MA	Dept of Health	(L) H.B. 2207, Leg. Reg. Sess. (Ma. 2007)*	x				x	x	x	x		x	x	Active bills currently under consideration. *Proposed act promoting disclosure of HAIs
MI	Dept of Health	(L) H.B. 4158, Leg. Reg. Sess. (Mi. 2007)								x			x	General provisions for reporting HAIs
MN	Dept of Health /MN. Hospital Assn.	L 2007 Minn. Laws ch. 147, Art. 9, 144.565 Subd. 5, § 17		x								x	x	Reportable infections will be those endorsed by the National Quality Forum. State will additionally require quality of care and patient safety reports
MS	State Board of Health	L MISS. CODE. ANN. §41-23-1 (2000)*												Have yet to pass any pertinent legislation. * State makes provisions for certain listed diseases to be reportable by healthcare providers, laboratorians and hospital administrators.
MO	Dept of Health & Senior Services	L MO. REV. STAT. § 192 (2006)	x	x		x	x		x			x	x	

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MT	Dept of Public Health & Human Services	R MONT. ADMIN. R. 37.114 (2006)											* State makes provisions for certain listed diseases to be reportable by healthcare providers, laboratorians and hospital administrators.	
NE	Dept of Health	L 2005 NEB. Laws 301 §41					x			x			Reports not to be shared with the general public	
NV	Health Division of the Dept of Human Res.	L NEV. REV. STAT. §441A (2005)											Reports not to be shared with the general public. Certain medical facilities are required to report HAIs as sentinel events	
NH	Dept of Health & Human Services	L N.H. REV. STAT. ANN. §151:33 (2006)	x				x	x	x			x	Requires hospitals to report infection rates as well as measures they use to prevent infections/	
NJ	Commiss-ioner of Health & Senior Services	(L) S. 147/919, 212th Leg. Gen. Sess. (Nj. 2007)	x	x			x	x	x	x		x	S919 was combined with S147 on June 6, 2007. S147 passed the Senate and the Assembly on June 21, 2007. Not only would it require public reporting of HAIs rates, it would also require disclosure to the public of each hospital's numbers on certain medical errors known as "never events."	

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NM	Dept of Health	R N.M. ADMIN. CODE tit. § 7 4.3 (2006)*											All bills failed to pass before crossover deadline. *State makes provisions for certain listed diseases to be reportable by healthcare providers, laboratorians and hospital administrators.	
NY	Dept of Health	L N.Y. PUB. HEALTH. Law § 2819 (2005)	x				x		x	x		x		
NC	Dept of Health	(L) H.1738, Leg. Gen. Sess. (NC 2007)	x				x		x	x	*	*	*Bill creates an advisory commission to make recommendations in 2009 for a public reporting system and proposed legislation for public disclosure	
ND	State Dept of Health	R N.D. ADMIN. CODE. Health & Safety §208 (2003)*											Have yet to consider any pertinent legislation. * State makes provisions for certain listed diseases to be reportable by healthcare providers, laboratorians and hospital administrators.	

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OH	Dept of Health/ Hospital Meas. Advisory Council	R OHIO ADMIN. CODE §3727.312 (2006)							x		x	x	Creation of a hospital measures advisory council to oversee collection and reporting of hospital quality measures and Hospital acquired infection measures.	
OK	Dept of Health	R OKLA. ADMIN. CODE. § 310:515 (2006)* OKLA. ADMIN CODE. 310:667-40-11(C)(2)(E)**											Have yet to consider any pertinent legislation. *State makes provisions for certain listed diseases to be reportable by healthcare providers, laboratorians and hospital administrators. ** State emergency hospitals must document HAIs, but disclosure is restricted and only made consistent with state or federal laws, or pursuant to a court order.	
OR	Dept of Admin. Services	L H.B. 2524. 74th Leg. Gen. Sess. (Or. 2007)					x	x	x	x		x	HB2524 was signed by the Governor on July 27, 2007.	

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PA	Health Care Cost Containment Council	L, (L) P.L. 31 No. 14 (Pa. 2003)* H.B. 700, Leg. Reg. Sess. (Pa. 2007)*		x					x	x		x	x	* Enacted legislation designed to decrease and/or contain health care costs by collecting and disseminating data that would make the participants of the health care system publicly accountable. **Comprehensive provisions aimed at eliminating HAIs and medical errors. Requires hospitals to track and report infection and medical error trends and to use evidence-based universal surveillance.
RI	Dept of Health	L R.I. GEN. LAWS 23-17.17 (2006) SB0650 (2007)*								x				Voluntary reporting only Requires existing hospital quality steering committee to consider adding measures associated with HAIs, to the state's hospital quality of care reports * Bill requiring public reporting of HAIs held and recommended for further study
SC	Dept of Health & Environ. Control	L S.C. CODE UNANN. § 44-7-2410 (2006)	x				x		x	x		x		*A committee, which will include consumer representation, will advise the Dept. on methodology for collecting, analyzing and disclosing information.

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SD	Dept of Health	R S.D. ADMIN. R. 44:20:02:02 (2006)*										Have yet to consider any pertinent legislation. * State makes provisions for certain listed diseases to be reportable by healthcare providers, laboratorians and hospital administrators.		
TN	Dept of Health	L TENN. CODE ANN. 68-11-263 (2006)					x*		x**		x	* Surgical infection rate data to be reported through the CDC **The department will only publish central line bloodstream infections in intensive care units		
TX	Dept of Health	L Tex. HB 1398, amending Tex. Health & Safety Code Ann. 98-001 et seq (2007)		x			x		x		x			
UT	Dept of Health	R UTAH ADMIN. CODE § 26-6-1 (2007)										Have yet to consider any pertinent legislation. * State makes provisions for certain listed diseases to be reportable by healthcare providers, laboratorians and hospital administrators.		

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VT	Health Care Admin.	L VT. STAT. ANN. tit. 18 § 9405b (2006)					X			X		X		
VA	Board of Health	L VA. CODE ANN. §32.1-§35.1 (2005)								X*		X**	*Only acute care hospitals must report nosocomial infection rates through the CDC. There are no specifics on what will be collected or how. ** Information made available to the public upon request	
WA	Dept of Health	(L) H.B. 1106, 60th Leg. Reg. Sess. (Wa. 2007)	X				X		X			X	Requires disclosure of rate at which patients acquire certain infections during treatment. Data will initially be obtained on central-line associated bloodstream infections in intensive care units (from July 1, 2008), then ventilator-associated pneumonia (from January 1, 2009), and then surgical site infections for certain procedures (from January 1, 2010). By Dec. 1, 2009, the Dep't of Health will start publishing a report comparing HAIs rates at hospitals in the state.	

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WV	Dept of Health	R W.VA CODE ST. R.										All proposed bills have failed to pass before crossover deadlines. * State makes provisions for certain listed diseases to be reportable by healthcare providers, laboratorians and hospital administrators.		
WI	Dept of Health	R WIS. ADMIN. CODE. HFS § 145 (2003)										Have yet to enact any pertinent legislation. * State makes provisions for certain listed diseases to be reportable by healthcare providers, laboratorians and hospital administrators.		
WY	Dept of Health	R WYO. Rules and Regs ch. 11 § 5289 (2006)										Have yet to enact any pertinent legislation. * State makes provisions for certain listed diseases to be reportable by healthcare providers, laboratorians and hospital administrators.		