

HOUSE BILL NO. HB1001

Medical safety event reporting-2.

Sponsored by: Joint Judiciary Interim Committee and Joint
Labor, Health and Social Services Interim
Committee

A BILL

for

1 AN ACT relating to health care facilities; providing for
2 mandatory reporting of safety events by health care
3 facilities to the department of health as specified;
4 requiring an annual report of safety events by the
5 department of health; providing a definition; and providing
6 for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 35-2-912 is created to read:

11

12 **35-2-912. Mandatory reporting of safety events.**

13

14 (a) For purposes of this section, "safety event"
15 means an unexpected occurrence involving death or serious
16 physical or psychological injury or the risk thereof,

1 including, without limitation, any process variation for
2 which a recurrence would carry a significant chance of a
3 serious adverse outcome. The term includes loss of limb or
4 function.

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6 (b) Each licensed health care facility located within
7 this state shall designate a patient safety officer.

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9 (c) A person who is employed by a health care
10 facility shall, within twenty-four (24) hours after
11 becoming aware of a safety event at the health care
12 facility, notify the patient safety officer of the facility
13 of the safety event. The patient safety officer shall,
14 within seven (7) days after receiving notification, report
15 the date, the time and a brief description of the safety
16 event to the department.

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18 (d) If the patient safety officer of a health care
19 facility personally discovers or becomes aware, in the
20 absence of notification by another employee, of a safety
21 event at the health care facility, the patient safety
22 officer shall, within seven (7) days after discovering or
23 becoming aware of the safety event, report the date, time

1 and brief description of the safety event to the
2 department.

3

4 (e) Any notice, report, document and any other
5 information compiled or disseminated pursuant to the
6 provisions of this section is confidential, is not
7 admissible in evidence in any administrative or legal
8 proceeding conducted in this state and is not a public
9 record.

10

11 (f) The department shall collect and maintain reports
12 received pursuant to this section and shall have the
13 authority to adopt rules and regulations to implement
14 reporting procedures and standards required by this
15 article. On or before June 30 of each year, the department
16 shall prepare and publish a report and analysis of all
17 reported safety events for the previous year, including a
18 trend analysis and recommendations for systemic
19 improvements that are likely to enhance patient safety and
20 health care. The department may convene a panel of health
21 care experts to review the data and compile the report.
22 The report shall be made available to the public and copies
23 forwarded to the governor, the health care commission and
24 the joint labor, health and social services interim

1 committee. In its annual report and any other public
2 document, the department shall ensure that all referenced
3 information is aggregated so as not to reveal the identity
4 of any specific person or health care facility.

5
6 (g) Any act authorized or required by this section
7 shall be subject to the confidentiality, immunity and
8 whistle blowing provisions of W.S. 35-2-910(a) and (b).

9
10 **Section 2.** W.S. 35-2-609(b) by creating a new
11 paragraph (v) and 35-2-901(a)(xxiv) are amended to read:

12
13 **35-2-609. Disclosure without patient's authorization.**

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15 (b) A hospital may disclose health care information
16 about a patient without the patient's authorization if the
17 disclosure is:

18
19 (v) Pursuant to W.S. 35-2-912.

20
21 **35-2-901. Definitions; applicability of provisions.**

22
23 (a) As used in this act:

1 (xxiv) "This act" means W.S. 35-2-901 through
2 ~~35-2-910~~ 35-2-912.

4 **Section 3.** W.S. 35-2-912 is repealed effective June
5 30, 2008.

7 **Section 4.** There is appropriated from the general
8 fund to the department of health eleven thousand three
9 hundred seventy-five dollars (\$11,375.00) for the period
10 beginning October 1, 2004 and ending June 30, 2006 to
11 implement the purposes of this act. The department of
12 health shall present in its standard budget request for the
13 2007-2008 biennium a funding request for the medical safety
14 event reporting program created herein.

16 **Section 5.** This act is effective October 1, 2004.

18 (END)