SENATE DOCKET, NO. 1289 FILED ON: 1/20/2011

SENATE . . . . . No. 552

The Commonwealth of Massachusetts

PRESENTED BY:

Karen E. Spilka

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act regarding the all-payer claims database .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Karen E. Spilka	☐ *[District]* ☐
Carolyn C. Dykema	*8th Middlesex*
James B. Eldridge	☐ *[District]* ☐

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SENATE . . . . . No. 552

By Ms. Spilka, a petition (accompanied by bill, Senate, No. 552) of Karen E. Spilka, Carolyn C. Dykema and James B. Eldridge for legislation regarding the all-payer claims database. Health Care Financing.

The Commonwealth of Massachusetts

An Act regarding the all-payer claims database .

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 6A of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding after section 16, the following new section:

16A. The division of health care finance and policy shall be the sole repository for health care data collected pursuant to Section 6 of Chapter 118G. The division shall collect, store and maintain such data in a payer and provider claims database created under said section 6. All other agencies, authorities, councils, boards, and commissions of the commonwealth seeking health care data that is collected under said section 6 shall utilize such data prior to requesting any data from health care providers and payers. The division may enter into interagency services agreements for transfer and use of the data.

SECTION 2. Section 6 of chapter 118G of the General Laws, as amended by chapters 131 and 288 of the acts of 2010, is hereby amended by adding at the beginning thereof the following:

"(a). The division shall establish an all payer and provider health care claims database to record and maintain all information collected by the division under subsection (b). The division shall be the sole administrator and operator of said database and shall be responsible for safeguarding the privacy of information collected, recorded and maintained.

There shall be established a reviewing committee to advise the commissioner on the administration of the data base. The reviewing committee shall be comprised of representatives from the hospital, health plan and provider communities, and shall include, but not be limited to the following: a representative of the Massachusetts Hospital Association, a representative of Blue Cross and Blue Shield of Massachusetts, a representative of the Massachusetts Association of Health Plans, and a representative of the Massachusetts Medical Society. The reviewing committee shall be responsible for advising the division on the standards

24 for release and use of the information submitted and shall ensure that such standards protect
25 patient privacy and guard against utilization of the data for the purpose of anti-competitive
26 behavior.

27 (b)"

28 SECTION 3. Said section 6 is hereby further amended by adding at the end
29 thereof the following:

30 (c) The division shall provide access to information recorded and maintained in the
31 database only in accordance with the division's requirements for protecting patient privacy and
32 shall guard against utilization of the data for the purpose of anti-competitive behavior. Health
33 care providers and payers that supply the data under this section may only be charged reasonable
34 administrative fees for access to information in the database