



### Sectional Analysis

### SB 93 (Version 32-GS1530\A)

An Act relating to the establishment of an all-payer health claims database;  
and providing for an effective date

**Section 1:** Establishes a new chapter 92 in Title 21 with the following sections:

Section 21.92.010 – All-payer claims database (APCD) is established.

- (a) Defines the purpose of a statewide APCD:
  - 1) collect and analyze existing health care cost and quality data;
  - 2) create a central repository that is objective and reliable;
  - 3) provide transparent access to health care information while protecting individual privacy and proprietary data; and
  - 4) enable researchers, policymakers, and the public to make informed decisions regarding health care.
- (b) APCD must provide:
  - 1) publishable analytics to improve transparency;
  - 2) systematic collection of data; and
  - 3) enhanced transparency.
- (c) The director may:
  - 1) require an insurer to submit data;
  - 2) establish penalties to ensure compliance;
  - 3) create agreements for voluntary reporting;
  - 4) solicit, receive and administer funding from public and private sources; and
  - 6) carry out other activities.

Section 21.92.020 – Selection and duties of lead organization.

- (a) By competitive bid, the director can select an organization to manage the APCD.
- (b) Provides organizational requirements for the APCD managing organization

Section 21.92.030 – Confidentiality.

- (a) The APCD shall be secure and confidential and shall not be subject to public records public inspection. Aggregated information can be shared as provided in regulations. Individually identifiable health care information will be confidential; and
- (b) Information in the database will not be subject to subpoena in any civil, criminal, judicial, or administrative proceeding.

Section 21.92.040 – Regulations.

Allows for the director of the Division of Insurance to adopt regulations.

**Section 2:** Allows the Division of Insurance to promulgate regulations not later than January 1<sup>st</sup> of the calendar year following the effective date.

**Section 3:** Provides for an immediate effective date.