

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 443

PRINTER'S NO. 749

AMOUNT

No Significant Fiscal Impact

FUND

General

DATE INTRODUCED

Feb. 24, 2009

PRIME SPONSOR

Senator D. White

HISTORY OF BILL

Referred to BANKING & INSURANCE, Feb. 24, 2009

Reported as amended, March 10, 2009

First consideration, March 10, 2009

Re-referred to APPROPRIATIONS, March 16, 2009

Re-reported as amended, March 23, 2009

DESCRIPTION AND PURPOSE OF BILL

An Act establishing a system for payment or reduction in payment for preventable serious adverse events within this Commonwealth; and providing for the powers and duties of the Department of Health and the Department of State.

Senate Bill 443 establishes a free standing act known as the "Preventable Serious Adverse Events Act". The bill prohibits healthcare providers from knowingly seeking payment for preventable serious adverse events or services required to correct or treat problems associated with the event.

A preventable serious adverse event is defined as "an event that is within the health care facility's control to avoid, but that occurs because of an error or system failure, and results in a patient's death, loss of body part, disfigurement, disability or loss of bodily function lasting more than seven days or is still present at the time of discharge from a health care facility..."

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The Department of Health is responsible for investigating patient complaints regarding health care facilities. The Department of State is responsible for investigating patient complaints regarding a health care provider that is not a health care facility. "Nothing in SB 443 requires the Department of Public Welfare to change its payment policy."

FISCAL IMPACT

The enactment of this legislation will have no significant fiscal impact to the Commonwealth. Any costs to the Department of Health or Department of State associated with oversight, review, investigations, and regulatory purposes would be minimal and absorbed within existing operating appropriations.