

**216.2929 Data on health-care services charges and quality and outcome measures to be publicly available on cabinet's website -- Reports required.**

- (1)
  - (a) The Cabinet for Health and Family Services shall make available on its website information on charges for health-care services at least annually in understandable language with sufficient explanation to allow consumers to draw meaningful comparisons between every hospital and ambulatory facility, differentiated by payor if relevant, and for other provider groups as relevant data becomes available.
  - (b) Any charge information compiled and reported by the cabinet shall include the median charge and other percentiles to describe the typical charges for all of the patients treated by a provider and the total number of patients represented by all charges, and shall be risk-adjusted.
  - (c) The report shall clearly identify the sources of data used in the report and explain limitations of the data and why differences between provider charges may be misleading. Every provider that is specifically identified in any report shall be given thirty (30) days to verify the accuracy of its data prior to public release and shall be afforded the opportunity to submit comments on its data that shall be included on the website and as part of any printed report of the data.
  - (d) The cabinet shall only provide linkages to organizations that publicly report comparative-charge data for Kentucky providers using data for all patients treated regardless of payor source, which may be adjusted for outliers, is risk-adjusted, and meets the requirements of paragraph (c) of this subsection.
- (2)
  - (a) The cabinet shall make information available on its website at least annually describing quality and outcome measures in understandable language with sufficient explanations to allow consumers to draw meaningful comparisons between every hospital and ambulatory facility in the Commonwealth and other provider groups as relevant data becomes available.
  - (b)
    1. The cabinet shall utilize only national quality indicators that have been endorsed and adopted by the Agency for Healthcare Research and Quality, the National Quality Forum, or the Centers for Medicare and Medicaid Services; or
    2. The cabinet shall provide linkages only to the following organizations that publicly report quality and outcome measures on Kentucky providers:
      - a. The Centers for Medicare and Medicaid Services;
      - b. The Agency for Healthcare Research and Quality;
      - c. The Joint Commission; and
      - d. Other organizations that publicly report relevant outcome data for Kentucky providers.
  - (c) The cabinet shall utilize or refer the general public to only those nationally endorsed quality indicators that are based upon current scientific evidence or relevant national professional consensus and have definitions and calculation methods openly available to the general public at no charge.

- (3) Any report the cabinet disseminates or refers the public to shall:
- (a) Not include data for a provider whose caseload of patients is insufficient to make the data a reliable indicator of the provider's performance;
  - (b) Meet the requirements of subsection (1)(c) of this section;
  - (c) Clearly identify the sources of data used in the report and explain the analytical methods used in preparing the data included in the report; and
  - (d) Explain any limitations of the data and how the data should be used by consumers.
- (4) The cabinet shall report at least biennially, no later than October 1 of each odd-numbered year, on the special health needs of the minority population in the Commonwealth as compared to the population in the Commonwealth as compared to the population at large. The report shall contain an overview of the health status of minority Kentuckians, shall identify the diseases and conditions experienced at disproportionate mortality and morbidity rates within the minority population, and shall make recommendations to meet the identified health needs of the minority population.
- (5) Beginning December 1, 2024, and at least annually thereafter, the Cabinet for Health and Family Services shall publish a report on its website for the most recent five (5) years of available data on the number and types of delivery procedures for pregnancy by hospital, including but not limited to the following procedures:
- (a) Augmentation of labor;
  - (b) Cesarean section;
  - (c) Episiotomy;
  - (d) Induction of labor;
  - (e) Primary cesarean section;
  - (f) Nulliparous, term, singleton, vertex (NTSV) cesarean section;
  - (g) Use of forceps;
  - (h) Use of vacuum;
  - (i) Vaginal birth after cesarean (VBAC); and
  - (j) Vaginal delivery.

The cabinet shall use health data collected pursuant to KRS 216.2920 to 216.2929 to obtain the required information, and may use additional sources including data derived from birth certificates if the required information is not available from data collected pursuant to KRS 216.2920 to 216.2929.

- (6) The reports required under subsections (4) and (5) of this section shall be submitted to the Legislative Research Commission for referral to the Interim Joint Committees on Appropriations and Revenue, Families and Children, and Health Services, and to the Governor.

**Effective:** July 15, 2024

**History:** Amended 2024 Ky. Acts ch. 207, sec. 20, effective July 15, 2024. -- Amended 2023 Ky. Acts ch. 25, sec. 30, effective June 29, 2023. -- Amended 2017 Ky. Acts ch. 80, sec. 49, effective June 29, 2017. -- Amended 2015 Ky. Acts ch. 9, sec. 3, effective June 24, 2015. -- Amended 2008 Ky. Acts ch. 71, sec. 4, effective July 15,

2008. -- Amended 2005 Ky. Acts ch. 99, sec. 476, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 421, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 371, sec. 29, effective July 15, 1996. -- Created 1994 Ky. Acts ch. 512, Pt. 2, sec. 10, effective July 15, 1994.

**Legislative Research Commission Note (7/15/2008).** The internal numbering of subsections (1) and (2) of this section has been altered by the Reviser of Statutes from the numbering in 2008 Ky. Acts ch. 71, sec. 4, under the authority of KRS 7.136.