

110TH CONGRESS  
1ST SESSION

# S. 692

To amend title 38, United States Code, to establish a Hospital Quality Report Card Initiative to report on health care quality in Veterans Affairs hospitals.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 27, 2007

Mr. OBAMA introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to establish a Hospital Quality Report Card Initiative to report on health care quality in Veterans Affairs hospitals.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “VA Hospital Quality  
5 Report Card Act of 2007”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to establish the Hospital  
8 Quality Report Card Initiative under title 38, United  
9 States Code, to ensure that quality measures data for hos-

1 pitals administered by the Secretary of Veterans Affairs  
 2 are readily available and accessible in order to—

3 (1) inform patients and consumers about health  
 4 care quality in such hospitals;

5 (2) assist Veterans Affairs health care providers  
 6 in identifying opportunities for quality improvement  
 7 and cost containment; and

8 (3) enhance the understanding of policy makers  
 9 and public officials of health care issues, raise public  
 10 awareness of hospital quality issues, and to help con-  
 11 stituents of such policy makers and officials identify  
 12 quality health care options.

13 **SEC. 3. VA HOSPITAL QUALITY REPORT CARD INITIATIVE.**

14 (a) IN GENERAL.—Subchapter III of chapter 17 of  
 15 title 38, United States Code, is amended by adding at the  
 16 end the following new section:

17 **“§ 1730A. Hospital Quality Report Card Initiative**

18 “(a) Not later than 18 months after the date of the  
 19 enactment of the VA Hospital Quality Report Card Act  
 20 of 2007, the Secretary shall establish and implement a  
 21 Hospital Quality Report Card Initiative (in this section re-  
 22 ferred to as the ‘Initiative’) to report on health care qual-  
 23 ity in VA hospitals.

24 “(b) For purposes of this section, the term ‘VA hos-  
 25 pital’ means a hospital administered by the Secretary.

1       “(c)(1)(A) Not less than 2 times each year, the Sec-  
2       retary shall publish reports on VA hospital quality. Such  
3       reports shall include quality measures data that allow for  
4       an assessment of health care—

5               “(i) effectiveness;

6               “(ii) safety;

7               “(iii) timeliness;

8               “(iv) efficiency;

9               “(v) patient-centeredness; and

10              “(vi) equity.

11       “(B) In collecting and reporting data as provided for  
12       under subparagraph (A), the Secretary shall include VA  
13       hospital information, as possible, relating to—

14               “(i) staffing levels of nurses and other health  
15       professionals, as appropriate;

16               “(ii) rates of nosocomial infections;

17               “(iii) the volume of various procedures per-  
18       formed;

19               “(iv) hospital sanctions and other violations;

20               “(v) the quality of care for various patient pop-  
21       ulations, including female, geriatric, disabled, rural,  
22       homeless, mentally ill, and racial and ethnic minority  
23       populations;

1           “(vi) the availability of emergency rooms, inten-  
2           sive care units, maternity care, and specialty serv-  
3           ices;

4           “(vii) the quality of care in various hospital set-  
5           tings, including inpatient, outpatient, emergency,  
6           maternity, and intensive care unit settings;

7           “(viii) ongoing patient safety initiatives; and

8           “(ix) other measures determined appropriate by  
9           the Secretary.

10          “(C)(i) In reporting data as provided for under sub-  
11          paragraph (A), the Secretary may risk adjust quality  
12          measures to account for differences relating to—

13               “(I) the characteristics of the reporting VA hos-  
14               pital, such as licensed bed size, geography, and  
15               teaching hospital status; and

16               “(II) patient characteristics, such as health sta-  
17               tus, severity of illness, and socioeconomic status.

18          “(ii) If the Secretary reports data under subpara-  
19          graph (A) using risk-adjusted quality measures, the Sec-  
20          retary shall establish procedures for making the  
21          unadjusted data available to the public in a manner deter-  
22          mined appropriate by the Secretary.

23          “(D) Under the Initiative, the Secretary may verify  
24          data reported under this paragraph to ensure accuracy  
25          and validity.

1       “(E) The Secretary shall disclose the entire method-  
2 ology for the reporting of data under this paragraph to  
3 all relevant organizations and VA hospitals that are the  
4 subject of any such information that is to be made avail-  
5 able to the public prior to the public disclosure of such  
6 information.

7       “(F)(i) The Secretary shall submit each report to the  
8 appropriate committees of Congress.

9       “(ii) The Secretary shall ensure that reports are  
10 made available under this section in an electronic format,  
11 in an understandable manner with respect to various pop-  
12 ulations (including those with low functional health lit-  
13 eracy), and in a manner that allows health care quality  
14 comparisons to be made with local hospitals or regional  
15 hospitals, as appropriate.

16       “(iii) The Secretary shall establish procedures for  
17 making report findings available to the public, upon re-  
18 quest, in a non-electronic format, such as through a toll-  
19 free telephone number.

20       “(G) The analytic methodologies and limitations on  
21 data sources utilized by the Secretary to develop and dis-  
22 seminate the comparative data under this section shall be  
23 identified and acknowledged as part of the dissemination  
24 of such data, and include the appropriate and inappro-  
25 priate uses of such data.

1       “(H) On at least an annual basis, the Secretary shall  
2 compare quality measures data submitted by each VA hos-  
3 pital with data submitted in the prior year or years by  
4 the same hospital in order to identify and report actions  
5 that would lead to false or artificial improvements in the  
6 hospital’s quality measurements.

7       “(2)(A) The Secretary shall develop and implement  
8 effective safeguards to protect against the unauthorized  
9 use or disclosure of VA hospital data that is reported  
10 under this section.

11       “(B) The Secretary shall develop and implement ef-  
12 fective safeguards to protect against the dissemination of  
13 inconsistent, incomplete, invalid, inaccurate, or subjective  
14 VA hospital data.

15       “(C) The Secretary shall ensure that identifiable pa-  
16 tient data shall not be released to the public.

17       “(d)(1) The Secretary shall evaluate and periodically  
18 submit a report to Congress on the effectiveness of the  
19 Initiative, including the effectiveness of the Initiative in  
20 meeting the purpose described in section 2 of the VA Hos-  
21 pital Quality Report Card Act of 2007. The Secretary  
22 shall make such reports available to the public.

23       “(2) The Secretary shall use the outcomes from the  
24 evaluation conducted pursuant to paragraph (1) to in-  
25 crease the usefulness of the Initiative.

1       “(e) There are authorized to be appropriated to carry  
2 out this section such sums as may be necessary for each  
3 of fiscal years 2008 through 2016.”.

4       (b) CLERICAL AMENDMENT.—The table of sections  
5 at the beginning of chapter 17, United States Code, is  
6 amended by inserting after the item relating to section  
7 1730 the following new item:

“1730A. Hospital Quality Report Card Initiative.”.

