

1 Cabinet for Health and Family Services

2 Office of Health Policy

3 [~~Division of Health Policy Development~~]

4 902 KAR 19:030. Release of public data sets for health care discharge data.

5 RELATES TO: KRS 61.970-61.992, 216.2920-216.2929

6 STATUTORY AUTHORITY KRS: 194A.050(1), 216.2923(2)(c), 216.2925(1), (2)

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 216.2923 mandates that
8 the Cabinet for Health and Family Services publish and make available information
9 relating to the health care delivery and finance system that is in the public interest. KRS
10 216.2927 mandates that personally identifying data collected by the Cabinet for Health
11 and Family Services from health care providers not be released to the general public
12 nor be allowed public inspection under KRS 61.870 to 61.884. This administrative
13 regulation establishes the guidelines for distribution and publication of data collected by
14 the cabinet pursuant to 902 KAR 19:020, while maintaining patient confidentiality and
15 further protecting personally identifying information.

16 Section 1. Definitions. (1) "Cabinet" is defined at KRS 216.2920(2).

17 (2) "Data" is that information described at length in KRS 216.2927(1) to (4).

18 (3) "Encounter-level" means the data record of a single instance of hospitalization,
19 outpatient service, emergency department, or observation stay billing record contained
20 in a data file.

21 (4) "Health care provider" is defined in KRS 216.2920(5).

1 (5) "Public" means a person or group not directly responsible for the collection,
2 maintenance, custody, or dissemination of data as defined for purposes of this
3 administrative regulation.

4 (6) "Report" means a summary or compilation of data disseminated to the public.

5 Section 2. Encounter-Level Data. (1) Notwithstanding the provisions of KRS
6 216.2927(3) regarding single copies of aggregate data, encounter-level [hospital
7 discharge] data shall be released in [~~one (1) of~~] the following standard file format
8 [~~formats~~] described in the table below:

<u>Encounter-Level Standard File Format – Data Element Contained in the File if information is available</u>
<u>File Type</u>
<u>Provider ID</u>
<u>Quarter & Year of Discharge</u>
<u>Patient Gender</u>
<u>Patient Age Group</u>
<u>Patient Race/Ethnicity</u>
<u>Patient Resident County</u>
<u>Type of Admission</u>
<u>Source of Admission</u>
<u>Diagnosis 1 (Primary)</u>
<u>Diagnosis 2</u>
<u>Diagnosis 3</u>
<u>Diagnosis 4</u>
<u>Diagnosis 5</u>
<u>Diagnosis 6</u>
<u>Diagnosis 7</u>
<u>Diagnosis 8</u>
<u>Diagnosis 9</u>
<u>Procedure 1 (Primary)</u>
<u>Procedure 2</u>
<u>Procedure 3</u>
<u>Procedure 4</u>
<u>Procedure 5</u>
<u>Procedure 6</u>
<u>Length of Stay</u>

<u>Total Charges</u>
<u>Discharge Status</u>
<u>Payer 1 (Primary)</u>
<u>Payer 2</u>
<u>Payer 3</u>
<u>Diagnostic related group</u>
<u>Medicare Services – Diagnostic related group</u>
<u>Major Diagnostic Category</u>
<u>Diagnosis Version Qualifier</u>
<u>Present on Admission Indicators</u>
<u>Event Code 1</u>
<u>Event Code 2</u>

1

[Encounter-Level Standard File Formats		
Data Element Contained in the File if Marked with an "X"	File 1	File 2
Provider ID	X	X
Quarter & Year of Discharge	X	-
Patient Gender	X	X
Patient Age Group	X	X
Patient Race/Ethnicity	X	-
Patient Marital Status	X	-
Patient Resident County	X	X
Type of Admission	X	X
Source of Admission	X	-
Diagnosis 1 (Primary)	X	X
Diagnosis 2	X	X
Diagnosis 3	X	X
Diagnosis 4	X	-
Diagnosis 5	X	-
Diagnosis 6	X	-
Diagnosis 7	X	-
Diagnosis 8	X	-
Diagnosis 9	X	-
Procedure Method	X	X
Procedure 1 (Primary)	X	X
Procedure 2	X	X
Procedure 3	X	X
Procedure 4	X	-
Procedure 5	X	-
Procedure 6	X	-
Length of Stay	X	X
Total Charges	X	X

Discharge Status	X	X
Payer 1 (Primary)	X	X
Payer 2	X	-
Payer 3	X	-
All payer refined diagnostic related groups	X	-
International Classification of Disease Version 9 Three-digit Category]	X	X

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

Section 3. Summary Data. (1) The cabinet shall not release data identified in KRS 216.2927.

(2) The cabinet may include the following data elements, in any combination thereof, for encounter-level, aggregate and summary report formats:

- (a) Diagnoses and procedures, primary and any other level;
- (b) Diagnosis and procedure groupings, including diagnostic related groups, major diagnostic categories, and agency for health care policy and research clinical classification system;
- (c) Patient gender;
- (d) Age or age grouping;
- (e) Discharge status;
- (f) Payor category, all levels;
- (g) Charge information, total and ancillary;
- (h) County of patient residence;
- (i) County of provider;
- (j) Ancillary department information;
- (k) Length of stay, total and average;
- (l) External cause of injury; or

1 (m) Mortality rate. Reports including mortality rates shall be adjusted by severity of
2 illness by reputable grouping software, either on a contract basis or by the cabinet.

3 (3) At least thirty (30) working days prior to the release or dissemination of the
4 reports identified in subsection (2) of this section, the cabinet shall permit a health care
5 provider identified in the report the opportunity to verify the accuracy of information
6 pertaining to the provider. Within the thirty (30) day period, the provider may submit to
7 the cabinet corrections or errors in the compilation of the data, with supporting
8 evidence.

9 (4) The cabinet shall correct data found to be in error and shall include additional
10 commentary as requested by the provider for major deviations in the individual
11 provider's data from the statewide average.

12 (5) Data shall not be withheld from the public or another interested party based
13 solely on an unfavorable profile of a provider or group of providers, if the data is
14 deemed reliable, accurate and sufficiently free of error, as determined by the cabinet
15 and pursuant to 902 KAR 19:020, Section 5.

16 Section 4. Release of Data. (1) A person or agency shall, as a condition for
17 receiving data from the cabinet, sign an "Agreement for Use of Kentucky Health Claims
18 Data". A person or agency receiving data shall agree to adhere to the confidentiality
19 requirements established in subsection (2) of this section and KRS 216.2927.

20 (2) To protect patient confidentiality:

21 (a) A report or summary of data that consists of five (5) or fewer records shall not be
22 released or made public;

1 (b) A person or agency receiving data shall not redistribute or sell data in the original
2 format;

3 (c) Distribution of data received by the cabinet shall be approved by the custodial
4 agency prior to receipt of the data.

5 (d) The data collected pursuant to 902 KAR 19:020 shall be used only for the
6 purpose of health statistical reporting and analysis or as specified in the user's written
7 request for the data.

8 (e) A user shall not attempt to link the public use data set with an individually
9 identifiable record from another data set.

10 Section 5. Fees. (1) The cabinet shall charge \$1,500 for the purchase of a single
11 copy of ~~[File 1 of]~~ an annual, public-use data set~~], and \$500 for the purchase of a single~~
12 ~~copy of File 2 of an annual, public-use data set].~~

13 (2) A public-use data set will be available for purchase no later than sixty (60) days
14 after the end of the facility reporting period as established in 902 KAR 19:020, Section
15 4. Special requests for data shall be prioritized and completed at the discretion of the
16 custodial agency.

17 Section 6. Incorporation by Reference. (1) "Agreement for Use of Kentucky Health
18 Claims Data, March 2008 ~~[August 2000]~~" is incorporated by reference.

19 (2) This material may be inspected, copied, or obtained, subject to applicable
20 copyright law, at the Cabinet for Health and Family Services, Office of Health Policy
21 ~~[Department for Public Health, Division of Epidemiology and Health Planning, Health~~
22 ~~Policy Development Branch]~~, 275 East Main Street, Frankfort, Kentucky 40621, Monday
23 through Friday, 8 a.m. to 4:30 p.m.