

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**HOUSE BILL 2459**

Short Title: Health Care Data/Race and Ethnicity. (Public)

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Sponsors: Representatives Earle, Lucas (Primary Sponsors); Bell, England, Farmer-Butterfield, Hall, Harrison, Insko, McLawhorn, Parmon, and Wainwright.

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Referred to: Appropriations.

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May 26, 2008

A BILL TO BE ENTITLED  
AN ACT TO IMPROVE THE COLLECTION OF RACE AND ETHNICITY DATA  
IN HEALTH CARE.

The General Assembly of North Carolina enacts:

**SECTION 1.** Part 1 of Article 1 of Chapter 130A of the General Statutes is amended by adding the following new section to read:

**"§ 130A-16. Race and ethnicity data.**

All medical care providers shall collect and document self-reported race and ethnicity information in their registration or intake process of new patients."

**SECTION 2.** G.S. 131E-214.1 reads as rewritten:

**"§ 131E-214.1. Definitions.**

As used in this Article:

- (1) "Division" means the Division of Health Service Regulation of the Department of Health and Human Services.
- (2) "Freestanding ambulatory surgical facility" means a facility licensed under Part D of Article 6 of this Chapter.
- (3) "Hospital" means a facility licensed under Article 5 of this Chapter or Article 2 of Chapter 122C of the General Statutes, but does not include the following:
  - a. A facility with all of its beds designated for medical type "LTC" (long-term care).
  - b. A facility with the majority of its beds designated for medical type "PSY-3" (mental retardation).
  - c. A facility operated by the North Carolina Department of Correction.
- (4) "Patient data" means data that includes a patient's age, sex, race, ethnicity, zip code, third-party coverage, principal and other diagnosis,

1 date of admission, procedure and discharge date, principal and other  
2 procedures, total charges and components of the total charges,  
3 attending physician identification number, and hospital or freestanding  
4 ambulatory surgical facility identification number.

5 (5) "Patient identifying information" means the name, address, social  
6 security number, or similar information by which the identity of a  
7 patient can be determined with reasonable accuracy and speed either  
8 directly or by reference to other publicly available information. The  
9 term does not include a number assigned to a patient by a health care  
10 provider if that number does not consist of or contain numbers,  
11 including social security or drivers license numbers, that could be used  
12 to identify a patient with reasonable accuracy and speed from sources  
13 external to the health care provider.

14 (6) "Statewide data processor" means a data processor certified by the  
15 Division as capable of complying with the requirements of  
16 G.S. 131E-214.4. The Division may deny, suspend, or revoke a  
17 certificate, in accordance with Chapter 150B of the General Statutes, if  
18 the statewide data processor does not comply with or is not capable of  
19 complying with the requirements of G.S. 131E-214.4. The Division is  
20 authorized to promulgate rules concerning the receipt, consideration,  
21 and limitation of a certificate applied for or issued under this Article."

22 **SECTION 2.** There is appropriated from the General Fund to the  
23 Department of Health and Human Services, Division of Public Health, the sum of ten  
24 thousand dollars (\$10,000) for the 2008-2009 fiscal year. These funds shall be used to  
25 educate providers on the requirements of this act.

26 **SECTION 3.** Section 2 of this act becomes effective July 1, 2008. The  
27 remainder of this act becomes effective October 1, 2008.