

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

400P0274

SENATE BILL NO. 33

Introduced by: The Committee on Health and Human Services at the request of the
Department of Health

1 FOR AN ACT ENTITLED, An Act to require hospitals to report certain adverse health care
2 events.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 34-12E be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Any hospital licensed pursuant to chapter 34-12 shall report to the Department of Health the
7 occurrence of any adverse health event. The Department of Health shall promulgate rules
8 pursuant to chapter 1-26 to provide the reporting of an adverse health event by a hospital. The
9 rules shall include:

- 10 (1) The list of adverse health events required to be reported, including hospital-acquired
11 infection events and surgical events;
- 12 (2) The method and reporting requirements for a hospital to report an adverse health
13 event; and
- 14 (3) The format for making a report of an adverse health event available to the public.

15 Each report of an adverse health event shall identify the hospital but may not include any



1 identifying information for any health care professional, hospital employee, or patient involved.

2 Section 2. That chapter 34-12E be amended by adding thereto a NEW SECTION to read as

3 follows:

4 Information received by the Department of Health under the authority of this chapter is

5 confidential, except for official purposes, and may not be disclosed except in accordance with

6 a proper judicial order, or as otherwise provided by law.