

NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES
NOTICE OF PUBLIC HEARING

October 3, 2019
1:00 p.m. Central Time
Nebraska State Office Building – Lower Level B
301 Centennial Mall South, Lincoln, Nebraska

The purpose of this hearing is to receive comments on proposed changes to Title 186, Chapter 3 of the Nebraska Administrative Code (NAC) – *External Cause of Injury Registry*. The regulations set forth procedures for reporting requirements for Nebraska hospitals for data concerning external causes of injury, poisoning, and adverse effects and provides procedures and standards governing access to registry data. The proposed changes update the diagnosis codes to the International Classification of Diseases, 10th revision (ICD-10-CM); remove duplicative statutory language from the regulations; and update formatting.

Authority for these regulations is found in Neb. Rev. Stat. § 81-3117(7).

Interested persons may attend the hearing and provide verbal or written comments or mail, fax or email written comments, no later than the day of the hearing to: DHHS Legal Services, PO Box 95026, Lincoln, NE 68509-5026, (402) 742-2382 or dhhs.regulations@nebraska.gov, respectively.

A copy of the proposed changes is available online at <http://www.sos.ne.gov>, or by contacting DHHS at the mailing address or email above, or by phone at (402) 471-8417. The fiscal impact statement for these proposed changes may be obtained at the office of the Secretary of State, Regulations Division, 1201 N Street, Suite 120, Lincoln, NE 68508, or by calling (402) 471-2385.

Auxiliary aids or reasonable accommodations needed to participate in a hearing can be requested by calling (402) 471-8417. Individuals with hearing impairments may call DHHS at (402) 471-9570 (voice and TDD) or the Nebraska Relay System at 711 or (800) 833-7352 TDD at least 2 weeks prior to the hearing.

FISCAL IMPACT STATEMENT

Agency: Department of Health and Human Services	
Title: 186	Prepared by: Celeste Illian
Chapter: 3	Date prepared: 2/27/2019
Subject: External Cause of Injury Registry	Telephone: 402-471-7988

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	(<input checked="" type="checkbox"/>)	(<input checked="" type="checkbox"/>)	(<input checked="" type="checkbox"/>)
Increased Costs	(<input type="checkbox"/>)	(<input type="checkbox"/>)	(<input type="checkbox"/>)
Decreased Costs	(<input type="checkbox"/>)	(<input type="checkbox"/>)	(<input type="checkbox"/>)
Increased Revenue	(<input type="checkbox"/>)	(<input type="checkbox"/>)	(<input type="checkbox"/>)
Decreased Revenue	(<input type="checkbox"/>)	(<input type="checkbox"/>)	(<input type="checkbox"/>)
Indeterminable	(<input type="checkbox"/>)	(<input type="checkbox"/>)	(<input type="checkbox"/>)

Provide an Estimated Cost & Description of Impact:

State Agency:

Political Subdivision:

Regulated Public:

If indeterminable, explain why:

TITLE 186 HEALTH REGISTRIES AND RELEASE OF INFORMATION

CHAPTER 3 EXTERNAL CAUSE OF INJURY REGISTRY

~~3-001. SCOPE AND AUTHORITY: The purpose of the External Cause of Injury Registry is to provide a central data base of accurate, precise and current information regarding the external causes of injury to be utilized for research, analytical and statistical purposes and for injury prevention.~~

~~These regulations apply to each hospital within the State of Nebraska. They implement the laws governing the establishment and maintenance of a registry that includes a record of the external causes of injuries, poisonings and adverse effects, and such information that the Department determines is necessary and appropriate for the statistical identification and planning for injury prevention purposes. These regulations set forth procedures for the reporting requirements for hospitals of the State of Nebraska hospitals of for data concerning external causes of injury, poisoning and adverse effects, and provide procedures and standards for governing access to registry data pursuant to Nebraska Revised Statutes (Neb. Rev. Stat.) §§ 71-2078 to 71-2082 and Neb. Rev. Stat. §§ 81-677 to 81-680.~~

~~3-002. DEFINITIONS: The definitions in Neb. Rev. Stat. § 71-2079 and the following apply to this chapter.~~

~~002.01 DEPARTMENT. Department means the The~~ Nebraska Department of Health and Human Services ~~Regulation and Licensure.~~

~~002.02 DIAGNOSIS CODES. Diagnosis Codes refers to t~~The codes for diseases and health-related conditions determined in accordance with Volumes I and II of the International Classification of Diseases, ~~9th~~ 10th Revision, Clinical Modification ("ICD-~~910~~-CM"), incorporated herein by reference and available for viewing at the Nebraska Department of Health and Human Services ~~Regulation and Licensure~~, Division of Public Health ~~Assurance, Section of Data Management~~, 301 Centennial Mall South, 3rd floor, Lincoln, Nebraska, 68509-5007.

~~002.03 EXTERNAL CAUSE OF MORBIDITY CODES. E-Codes refers to t~~The codes for ~~the~~ external causes of injury, poisoning, or adverse effects, to be entered on the hospital uniform billing form pursuant to Neb. Rev. Stat. § 71-2080, which are determined in accordance with the Supplementary Classification of External Causes of Injury and Poisoning of the International Classification of Diseases, ~~9th~~ 10th Revision, Clinical modification ("ICD-~~910~~-CM"), incorporated herein by reference and available for viewing at the Nebraska Department of Health and Human Services ~~Regulation and Licensure~~, Division of Public Health

~~Assurance, Section of Data Management~~, 301 Centennial Mall South, 3rd floor, Lincoln, Nebraska, 68509-5007.

~~Hospital shall have the meaning found in Neb. Rev. Stat. § 71-419.~~

~~Hospital Uniform Billing Form means the Health Care Financing Administration claim form, number 1450 mandated for the medicare program pursuant to Sections 1814(a)(2) and 1871 of the Federal Social Security Act, as amended, commonly referred to as the UB-92 form, a copy of which is attached as Attachment 1 and incorporated herein by this reference;~~

~~002.04 PROCEDURE CODES. Procedure Codes means t~~The codes for procedures in medicine, determined in accordance with Volume III of the International Classification of Diseases, 9th ~~10th~~ Revision, Clinical Modification ("ICD-910-CM"), incorporated herein by reference and available for viewing at the Nebraska Department of Health and Human Services ~~Regulation and Licensure~~, Division of Public Health ~~Assurance, Section of Data Management~~, 301 Centennial Mall South, 3rd floor, Lincoln, Nebraska, 68509-5007.

~~3-003. DATA REQUIREMENTS:~~ Data are to be abstracted, for each patient discharged from a hospital, receiving outpatient services, or released from observation, for whom an external cause of injury code is recorded. ~~The D~~data to be abstracted from medical records or made available through medical records for abstracting ~~as are those~~ specified by reporting requirements set forth in ~~Neb. Rev. Stat. § 71-2081 and must include the identification of the hospital reporting.~~ ~~186 NAC 3-004~~ are as follows:-

- ~~1. Diagnosis codes, as defined in 186 NAC 3-002;~~
- ~~2. E codes, as defined in 186 NAC 3-002;~~
- ~~3. Procedure codes, as defined in 186 NAC 3-002;~~
- ~~4. Admission date;~~
- ~~5. Discharge date;~~
- ~~6. Disposition code;~~
- ~~7. Birth date;~~
- ~~8. Sex;~~
- ~~9. City and county of residence;~~
- ~~10. Zip code of residence.~~
- ~~11. Identification of hospital reporting information~~

~~3-004. HOSPITAL REPORTING REQUIREMENTS:~~ Each hospital within the state must assign an ~~E-code external cause of morbidity code~~ to each patient discharged, receiving outpatient services, or released from observation, for whom an ~~E-code external cause of morbidity code~~ is appropriate. The hospital must submit data to the Department on a quarterly basis. The data may be submitted to the Department via an agreement between the Department and the Nebraska Hospital Association or any other entity that has such data collection agreement. This submission may be in electronic or written format.

~~3-005. AVAILABILITY OF MEDICAL RECORDS:~~ Each hospital must make available to the Department or its authorized representative, upon presentation of proper identification, medical records which document the diagnosis and treatment of individuals for whom an ~~E-code external cause of morbidity code~~ was appropriate for the purpose of recording specific data required by

Neb. Rev. Stat. §§ 71-2078 to 71-2082 and this chapter 186 NAC 3. These records must be made available on the hospital premises ~~of the hospital and~~ during normal working hours.

006. CONFIDENTIALITY AND RELEASE OF INFORMATION. All data provided to the Department pursuant to Neb. Rev. Stat. §§ 71-2078 to 71-2082 and this chapter, is confidential and will be released pursuant to Neb. Rev. Stat. §§ 71-2081 and 81-667. All data provided to the Department is classified as Class I and Class II data.

~~3-006 CONFIDENTIALITY AND RELEASE OF INFORMATION: All data provided to the Department pursuant to Neb. Rev. Stat. §§ 71-2078 to 71-2082 and 186 NAC 3 will be classified as Class I and Class II data pursuant to Neb. Rev. Stat. § 81-667 (1) and (2). The aggregate data reports will be considered public documents.~~