

The National Patient Safety Board Act of 2024

Section 1. Short Title.

- Introduced by Reps. Nanette Barragán (D-CA-44) and Michael Burgess (R-TX-26), this legislation is known as the National Patient Safety Board Act of 2024.

Section 2. National Patient Safety Board (NPSB).

(a) Establishment

- The NPSB will be an independent board housed under the Department of Health and Human Services (HHS) focused on preventing and reducing patient safety events.

(b) Duties

- The NPSB will monitor, anticipate, study the causes of patient safety events, and formulate recommendations and solutions to prevent patient safety events from occurring.
- The NPSB will also have the authority to request changes or approve solutions recommended by the Patient Safety Development Division.
- The NPSB will review, approve, and edit reports that will be made publicly available, undergo annual audits, and report annually to Congress on detailed solutions from each division of the NPSB.

(c) Hearings and Reports

- The NPSB can hold hearings, take testimony from relevant individuals, receive evidence and issue reports. Reports will not identify specific individuals or health systems.

(d) Membership

- The NPSB will have five members, each appointed for a staggered five-year term. These members will have experience specifically in patient safety, or will have experienced a patient safety event in a health care setting themselves or by a family member. It will be led by a chair and vice chair serving a three-year term.

(e) Staffing and (f) Organization

- The chair may appoint personnel to carry out the mission of the NPSB, which will have the following divisions:
 - Office of the Chair of the Board

(g) Patient Safety Research and Development Division

- The Patient Safety Research and Development Division's director will maintain a public-private team, known as the Health Care Safety Team, to identify, develop, review, update, and recommend patient safety measures and solutions based upon data sources, and recommend patient safety data surveillance technologies.
- Membership will include a variety of representatives from federal agencies, and individuals from the private sector with patient safety experience, including providers, organized labor, health care organizations, patients, and more.
- This division will obtain real-time, de-identified patient-level data relating to patient safety event measures and solutions from HHS and the Department of Veterans Affairs

(VA) and use the data consistent with current privacy and confidentiality laws for their reports. It shall also partner directly with states, localities, and public-private entities in sharing deidentified patient data related to patient safety events.

- Data will be analyzed and aggregated to identify patient safety events that take place, as well as to anticipate patient safety events. This analysis will prompt bi-monthly briefs to the Health Care Safety Team.
- Based on this information, the Health Care Safety Team will develop patient safety recommendations and solutions that would be sent to the Board, then incorporated into the final report.

(h) Study Division

- Based upon the data surveillance briefs provided by the Patient Safety Research and Development Division, the Study Division will conduct studies based upon present criteria, such as frequently occurring major sources of patient safety events or abnormal patterns.
- The Study Division will appoint a team lead along with multidisciplinary experts that will conduct studies. These teams will work with available data and experts, and will be required to receive permission to enter health care facilities and communicate with staff.
- The division's director will create guidelines for the type of study to be conducted and follow a structured protocol for events related to novel infections and emergency pandemics.
- Complete studies will be submitted to the NPSB and the Patient Safety Research and Development Division, and HHS and VA will respond to the recommendations and solutions contained therein.

(i) Administrative Division

- The Administrative Division director will report on the day-to-day activities of the board and handle communications, facility coordination, labor relations, and human resource management.

(j) Nonpunitive Restrictions

- Reports from the NPSB cannot be used as evidence in civil proceedings, but can be used to develop or inform standards of care.
- HHS cannot use the work of the NPSB to impose or enforce disciplinary measures against health care providers.

(k) Protections for Employees

- Employers cannot discriminate against employees who cooperate with the NPSB or submit information to the Patient Safety Research and Development Division. This section also includes a complaint procedure for employees that believe they have been subjected to retaliation.

(l) Definitions

- This section defines certain terms such as "health care setting" and "patient safety event."