

Arkansas All-Payer Claims Database Project

APCD Advisory Committee Meeting

March 12, 2015



Agenda

- **Welcome and Introductions**
- **Legislative Filings Regarding Data**
- **Environmental Context**
- **Arkansas Health Care System Transparency Initiative**

Legislation Regarding Data Transparency and Access

SB983 - To provide transparency and open access to public records and data.

SB984 - To amend sections of the law regarding the duties of the Office of Health Information Technology.

SB956 - To create the Arkansas Healthcare Transparency Initiative of 2015; and to declare an emergency.

SB959 - To create the Provider-Patient Relationship Protection Act of 2015.

SB1043 - To provide for an increase in disclosure of non-confidential hospital data and records.

HB1691 - To create the Information Practices Act of 2015; to protect the right to privacy to restrict access to certain government records containing personal information.

SB 96 – To create the Arkansas Health Reform Act of 2015

HB1828 - To ensure that personally identifiable information of students is protected.

HB1961 - To adopt the Student Online Personal Information Protection Act.

SB218 - To establish the Student Data Accessibility, Transparency, and Accountability Act.

HB1550 - To enhance the utilization of the immunization registry.

SB717 - To enhance the Prescription Drug Monitoring Program Act.

SB763 - To promote transparency in health care.

Environmental context

- APCDs in other states are optimally successful with mandatory data submission
- Voluntary data submission for APCD project purposes not likely to be fully successful
- Legal safe harbor for data submitters achieved with requirement of law
- Legislative and agency interest in transparency and knowledge base for policy/research

SB956: Arkansas HealthCare Transparency Initiative

Legislative context recognizes:

- Lack of transparency laws relative to other states and available information for consumers
- Drive toward consumerism and patient responsibility
- System transformation efforts and need for data infrastructure
 - Inform continued reform efforts
 - Program evaluation and monitoring
 - Target quality improvement efforts
 - Peer comparison
 - Research
- Existing efforts in other states to integrate data while protecting privacy

Legislative purpose

- Empower Arkansans to drive, deliver, and seek out value in the health system
- Create the Arkansas Health Care Transparency Initiative
- Establish governance of the Arkansas Health Care Transparency Initiative
- Provide authority to collect health care information from insurance carriers and other entities
- Establish appropriate methods for collecting, maintaining, and reporting health care information, including privacy and security safeguards

What is collected?

- Medical, dental, pharmacy claims and other insurance claims information
 - Information included in an institutional, professional, or pharmacy claim or equivalent encounter information for covered individuals
- Enrollment/eligibility files
- Provider files

Who is required to submit?

- Entities providing full-insured health or dental insurance plans in Arkansas
- Medicaid
- State/public school employee benefit plan
- Medicare with agreement of the federal government
- Auto and disability plans for medical claims
- Third-party administrators and pharmacy benefit managers
- Entities providing medical services under contract with state prison system
- Self-funded plans as allowed by federal law*

*Pending *Gobeille v. Liberty Mutual Insurance*, 746 F. 3d 497 (2d Cir. 2014), petition for cert. filed, (No. 14-181).

Governance / Advisory Board

With input from the Advisory Board the Arkansas Insurance Department is authorized to:

- Collect, analyze and present data
- Enforce compliance/assess penalties
- Designate administrator
- Adopt rules for administration and oversight
- Explore key health care issues for assessment

Governance / Advisory Board

The Advisory Board consists of:

- Department of Human Services
- Department of Health
- Office of Health Information Technology
- Surgeon General
- Governor-appointed members:
 - 2 from health insurance industry
 - 2 from health care provider community
 - 1 self-insured employer
 - 1 small employer with coverage through fully-insured product
 - 1 health care consumer organization
 - 1 from academic research community
 - 1 with expertise in health data privacy and security

Data Resource

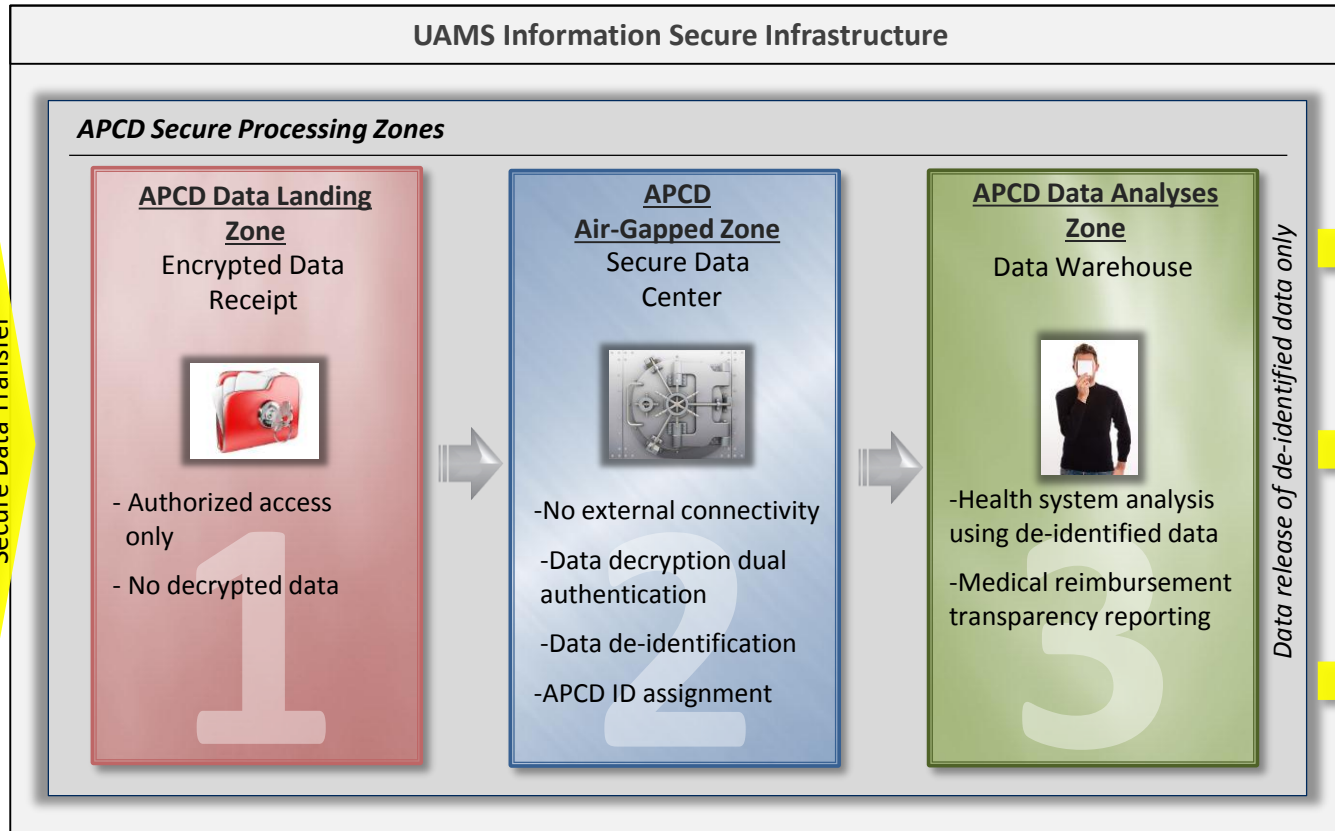
Intended to provide data support for:

- Insurers
- Employers
- Individual consumers
- Researchers
- State agencies
- Health care providers

Protections

- Confidential and exempt from FOI
- Not subject to subpoena
- Subject to HIPAA storage, use, and disclosure requirements
- No release of personal identifiers
- Cannot be used to disclose trade secrets, re-identify individuals, or create a national APCD

APCD Processing Solution



APCD Website



Researchers



Providers

