

All-Payer Claims Database Advisory Group Meeting
Draft Meeting Minutes

Date: Thursday, August 13, 2015
Time: 9:00 a.m. – 11:00 a.m. ET
Location: Legislative Office Building, Room 1D

Members Present

Tamim Ahmed, Robert Aseltine, Mary Ellen Breault, Olga Armah for Kimberly Martone, Robert Scalettar, Victor Villagra, Joshua Wojcik for Kevin Lembo, Victoria Veltri, Robert Tessier, Phyllis Hyman for Roderick Bremby, Dean Myshrall for Mark Raymond, Michael Michaud for Miriam Delphin-Rittmon, James Iacobellis, Melissa Morton for Ben Barnes, Bernadette Inskeep, Jean Rexford

Members Absent

James Wadleigh, Matt Katz, Katherine Wade, Mary Alice Lee, Jewel Mullen

Other Participants

Robert Blundo, Frank Hoefling, Sandeep Arappoyil, Joan Feldman, William Roberts, Kate McEvoy

I. Call to Order and Introductions

Dr. Tamim Ahmed called the meeting to order at 9:00 a.m. Members introduced themselves.

II. Public Comment

Dr. Susan Israel expressed concern regarding the collection of member identifiable information and wanted Connecticut to follow Rhode Island's (RI) example. RI's APCD allows citizens to opt out. Even with regards to de-identified data Dr. Israel expressed reservation that members can be re-identified using medical claims information and/or cross-referencing other publically available data sets. (Dr. Israel also circulated a handout on this occasion.)

III. Approval of June 4, 2015 Meeting Minutes

Dr. Ahmed asked for a motion to approve June 4, 2015 meeting minutes. Dr. Robert Aseltine moved for the minutes to be accepted. The motion was seconded by Dr. Victor Villagra.

Dr. Villagra asked for two corrections to be made to the minutes. Page 2, 3rd bullet, changed "unbiased" to "biased." Page 1, last paragraph, 4th line from bottom, changed "neither" to "either." **Minutes, with corrections, were approved unanimously.**

IV. CEO/ ED Updates

The update was provided in the presentation document.

V. Status of Medicaid Data

Kate McEvoy, Medicaid Director, Department of Social Services (DSS) and Phyllis Hyman, attorney with DSS, discussed PA 15-146 (SB 811)'s authorization for DSS to submit Medicaid data to APCD. They believed it was important to mention that disclosure of Medicaid data is governed by both federal and state law. Safeguards must be provided that prevent disclosure of the information concerning applicants and recipients. Regulations say that disclosure must be for purposes directly connected to the administration of the Medicaid state plan. That's the governing set of principles when discussing disclosure of data to the exchange. In addition, there are state statutes and regulations that say that any disclosure of data must be related to the operation of DSS programs.

DSS is in the process of crafting a memorandum of understanding (MOU) to be shared with the APCD regarding the submission of Medicaid data. There are two distinct categories of data submission. The first category is the submission of

data for purposes of analyses that are requested by the DSS on its behalf in administering the Medicaid program. The second category is when the Exchange, either on its own or on behalf of another entity, would be requesting DSS for the permission to conduct an analysis using Medicaid data. In those cases, the department would consider both federal and state statutes and regulations and determine if the request was consistent with purposes directly connected to the administration of the Medicaid plan. They will place in the MOU an operational protocol that they will develop for approving this type of request. DSS has to maintain authority for each request since it is the Medicaid administrator. They hope to have the MOU drafted soon and will share it with Dr. Ahmed.

Robert Tessier expressed appreciation that DSS is finding a way to share the Medicaid data. Mr. Tessier asked how other states are managing this issue. Ms. McEvoy stated that it is likely the department (i.e., DSS) would participate if it believed it was an appropriate arrangement with the Exchange or an affiliated organization. For instance, they are looking at the experience of high cost/high need Medicaid individuals. They are participating in a National Governor's Association policy academy that is examining strategies. She is not in a position to discuss the mechanics of the efforts on behalf of Medicaid agencies working with an APCD. She is more familiar with the academic-Medicaid partnership. This sort of agreement is typical of such partnerships.

Dr. Robert Scalettar observed that the richness of the (Medicaid) data depends on it being pooled with other payers' data, which enables the APCD and researchers to look at the totality of health care experiences. He asked the question whether the MOU or the law suggest there would be a separate process when the inquiry is just for analysis of the Medicaid data. Ms. Hyman responded that if the department (i.e., DSS) sees value for such cross-payer research for the administration of the state Medicaid plan then they would approve. If the purpose of the pooling is to come up with something that has nothing to do with Medicaid, they would not approve such a request. The same process would occur when it is just the Medicaid data and when the data is being pooled with the commercial data. If the department sees the analysis as being useful in either case, they would approve it.

Dr. Villagra asked whether a comparison in cost and quality of services received by Medicaid beneficiaries with the cost and quality of services received by commercial payers be considered something connected to the administration of the plan and of interest to the department. Ms. McEvoy responded that it may be useful for the department to create a narrative to illustrate some previous scenarios under which we have determined that the use of data has been in the interest of Medicaid beneficiaries. Their bottom line is the focus on the Medicaid beneficiaries. It would be unlikely that they would approve a use that was for a larger structural purpose. The MOU will articulate the department's intent and protocol. The Exchange will be on notice for how to request data from the department (i.e., DSS) and to identify the parties that will complete the analysis. The analysis can't focus on the broader healthcare environment.

VI. Presentation of Proposed Data Security and Privacy Policies and Procedures

At this stage Dr. Ahmed requested Dr. Scalettar to assume the Chair of the meeting to conduct the meeting related to the Data Privacy and Security Policy & Procedure discussion.

Dr. Scalettar reminded everyone about the working of the Data Privacy, Confidentiality, and Security Subcommittee, which was charged with helping to develop policy and procedure concerning data release. They have worked for months and had the aid of outside counsel. Everyone saw and commented on the work in the last meeting on June 4, 2015. The presentation is turned over to Joan Feldman and Bill Roberts from Shipman and Goodwin, the outside counsel, who helped to draft the report.

Joan Feldman and Bill Roberts, outside counsel from Shipman and Goodwin, detailed the changes regarding the definition of APCD personnel, the definition of data, the Data Release Committee, the composition of the APCD Advisory Group, veto authority, the de-identification of data, and the posting of the disposition of data release applications. There was a discussion about posting all completed data release applications prior to disposition.

Dr. Scalettar asked for a motion to adopt the Data Security and Privacy Policies and Procedures, including the addition of the following sentence: "The Exchange shall post at least the following information on its public-facing website once a completed data request application is received."

Jean Rexford moved approval. Mr. Tessier seconded. 15 members approved. 1 member (Melissa Morton) abstained.

VII. Review of PA 15-146 (SB 811) and Role of APCD

Rob Blundo presented information about the role of APCD with regards to PA 15-146 (SB 811). He detailed the scope of the bill and, in the context of APCD, elaborated on the types of information/report that may be generated using the APCD data.

VIII. Demo of Preliminary Consumer Decision Support Application

Sandeep Arappoyil led a demonstration of the Consumer Decision Support application. He had previously given a similar demonstration to the Consumer Experience and Outreach Committee. It was suggested that the feedback from that group be shared with this group as well. There followed comments and questions about the tool including regarding whether a live person would be available to support the tool, putting the monthly cost as the default instead of annual cost, and whether an analysis would be performed to see if people are selecting the optimal plan for their situation,

IX. Next Steps

No Next Steps.

X. Future Meetings

The next regular meeting of the APCD Advisory Group is November 12, 2015 from 9:00 to 11:00 a.m. Future meetings were listed on the APCD webpage.

XI. Adjournment

Dr. Ahmed entertained a motion to adjourn the meeting. Robert Aseltine motioned. Dean Myrshall seconded the motion. Motion passed unanimously. The meeting was adjourned at 11:00 a.m.