

All-Payer Claims Database Advisory Group Meeting
Draft Meeting Minutes

Date: Thursday, November 12, 2015
Time: 9:00 a.m. – 11:00 a.m. ET
Location: Legislative Office Building, Room 1D

Members Present

James Wadleigh, Tamim Ahmed, Robert Aseltine, Jr., Mary Ellen Breault, Phyllis Hyman and Corrine Seibert on behalf of Commissioner Roderick Bremby, Bernadette Inskeep, Kimberly Martone, Dean Myshrall on behalf of Mark Raymond, Jean Rexford (by phone), Robert Scalettar, Robert Tessier, Victor Villagra, Michael Michaud on behalf of Commissioner Miriam Delphin-Rittmon

Members Absent

Benjamin Barnes, James D. Iacobellis, Matthew C. Katz, Kevin Lembo, Jewel Mullen, Victoria Veltri, Katherine Wade, Thomas Woodruff

AHCT Staff Participants

Robert Blundo, Frank Hoefling, Susan Rich-Bye, Ryan O'Neil

Other Participants

Joan Feldman, Esq., William Roberts, Esq. (Shipman & Goodwin)
Patrick Quinn (Onpoint Health Data)

I. Call to Order and Introductions

James Wadleigh called the meeting to order at 9:00 a.m.

II. Public Comment

There was no public comment.

III. Approval of August 13, 2015 Meeting Minutes

James Wadleigh asked for a motion to approve August 13, 2015 meeting minutes. Robert Tessier moved for the minutes to be accepted. The motion was seconded by Mary Ellen Breault. The minutes were unanimously approved.

IV. CEO/ ED Updates

Mr. Wadleigh asked Dr. Tamim Ahmed to provide an update on Access Health CT's APCD. Dr. Ahmed stated that Onpoint Health Data successfully passed the security audit and is now ready to start accepting data from carriers. Dr. Ahmed expressed that it was a thorough audit, and he had confidence that the data will be secure.

Dr. Ahmed introduced Ryan O'Neil, a new Access Health CT employee. He thanked Frank Hoefling for his service and wished him well in his future endeavors.

Dr. Ahmed updated the group on the consumer decision tool, which was launched on the Access Health CT site as the Health Plan Selector tool. He thanked the group for its input in creating the tool, and discussed the use of Google Analytics to capture the number of consumers using the tool.

Dr. Ahmed discussed the new data submission timeline. The new timeline is similar to the previous timeline but with modifications in the dates due to the delay. Dr. Ahmed said that carriers will have 60 days to submit the first test file, since they will need time to build their infrastructure. He expects the first reports to be on APCD's website in the third quarter of 2016, with more cost transparency reports due to be published on the site in the fourth quarter of that year.

Dr. Victor Villagra asked when the APCD would be ready to accept data requests. Dr. Ahmed said he expected that the APCD would begin accepting data requests in the third quarter of 2016, since carriers would still be submitting data in the second quarter of 2016.

Robert Tessier expressed concern that transparency reports would not be available until 2017, and asked about the obstacles to publishing reports sooner. Dr. Ahmed said there were both technical and policy obstacles. Mr. Tessier stressed the importance of the transparency reports, and Dr. Ahmed agreed. Mr. Tessier asked for updates to be sent to the Advisory Group regarding the progress on development of the reports. Mr. Wadleigh recommended that Dr. Ahmed send monthly status updates on issues and the progress toward meeting the timeline. Dr. Ahmed agreed to send such updates to the Advisory Group.

V. Legal Review of Trade Secrets Legislation

Joan Feldman and William Roberts of Shipman and Goodwin LLP discussed whether the disclosures made by the APCD would violate applicable trade secret laws. Ms. Feldman stated that since Connecticut law mandates the disclosures made by the APCD, such disclosure would not violate the applicable Connecticut proprietary trade secret prohibitions against disclosure of proprietary information. On the federal level, there are currently no applicable laws that would regulate the disclosure of the type of information.

Ms. Feldman and Mr. Roberts also discussed consultation with other state APCDs. New Hampshire publishes bundled costs for procedures instead of individual costs. New Hampshire officials believe this allows their APCD to avoid trade secret challenges plus this format gives consumers an easier look at what they would actually be paying since consumers pay for services as a whole and not by each individual fee.

Dr. Villagra asked what would happen if an anesthesiologist used in an operation is unexpectedly out of network and a consumer ends up with a big surprise bill. Mary Ellen Breault explained that current contract language does not allow this to happen any longer. The out-of-network anesthesiologist would be billed to the consumer as if in-network.

VI. SB 811 Update

Dr. Ahmed provided an update on the progress of complying with the requirements of SB 811 (PA 15-146). He stated that the APCD website, the consumer decision tool, and efforts on price transparency are all steps towards complying with the law. He continued that the law appeared to intend for the APCD to collect clinical data. Mr. Tessier pointed out SB 811 had been co-sponsored by the House Speaker and the Senate President Pro Tempore, and that their staffs helped draft the legislation. We could approach them about their intent.

Dr. Villagra asked about the bill's requirement to make information available in a "format understandable to the average consumer," and wondered about the legal interpretation of the word "average". Mr. Wadleigh explained that Access Health CT had recently examined the language on its website, and changed it to be understandable by a person at a sixth grade reading level. He acknowledged this was not a foolproof method, but it was one step toward increasing accessibility. He also said that health insurance terms can be difficult to understand, and that Access Health CT is working to increase consumers' health insurance literacy. Dr. Villagra asked for measurement of literacy for those with limited English proficiency. Mr. Wadleigh said that any suggestions for such a metric could be given to Dr. Ahmed.

Phyllis Hyman and Corrine Seibert of the Department of Social Services (DSS) discussed the creation of the Memorandum of Agreement (MOA) between DSS and Access Health CT concerning the sharing of Medicaid data. They explained that federal law allows the sharing of Medicaid data only for the administration of the Medicaid program, so there will need to be a process requiring requestors to demonstrate that sharing the data achieves that end. Dr. Villagra asked how DSS will determine whether the disclosure of data would be relevant to the administration of Medicaid. Ms. Hyman said she understood his question, and that the Medicaid director would be best suited to making that determination on a case-by-case basis.

Mr. Tessier pointed out that PA 15-146 also prohibits carriers and providers from keeping negotiated pricing information confidential.

Dr. Ahmed displayed some tables with samples of data required by PA 15-146. Advisory Group members suggested that these tables should be more understandable for the typical consumer, and recommended that Dr. Ahmed review the ways

that other states are displaying this information. Dr. Ahmed said that AHCT can learn from what other states have done, as well as the mistakes they have made.

Kim Martone of the Department of Public Health (DPH) said that there are limits on data collection. DPH does not collect hospital outpatients data, and it just started collecting data on outpatient surgeries. There was further discussion about data availability related to the requirements of PA 15-146.

VII. Completion of Consumer Decision Support Tool

Dr. Ahmed discussed the consumer decision support tool, which is complete and available for consumers to use on the Access Health CT website. He also displayed the tool's usage statistics from Google Analytics. Brokers were instructed on using the tool to help consumers pick a cost-effective plan. Mr. Tessier asked how Access Health CT was measuring the effectiveness of the tool in helping consumers select plans which are affordable based on both cost-sharing and premium. Mr. Wadleigh said that those questions can be added to Access Health CT's annual consumer survey.

VIII. Showcase of the APCD Website

Patrick Quinn, of Onpoint Health Data, conducted a demonstration of the APCD website, which is still in development. Mr. Quinn demonstrated many design and technical features of the site, including the ability to geographically display results by state, Health Service Area, town, and county. He stated that the website would include pop-up windows with definition for consumers. There was a discussion regarding other reports that would be displayed on the site. Mr. Quinn encouraged members to visit Maine's APCD website, comparemaine.org, to see what features are most effective.

IX. Next Steps

No Next Steps.

X. Future Meetings

The next regular meeting of the APCD Advisory Group is February 11, 2016 from 9:00 to 11:00 a.m. in a location to be determined. The other meeting dates in 2016 are May 12, August 11, and November 10. Those three meetings will be from 9:00 a.m. until 11:00 a.m. and will be held in the Legislative Office Building.

XI. Adjournment

Mr. Wadleigh entertained a motion to adjourn the meeting. Dr. Villagra made a motion to adjourn. Ms. Martone seconded the motion. Motion passed unanimously. The meeting was adjourned at 11:00 a.m.