

All Payor Claims Database Stakeholder Advisory Group Notes

March 22, 2023 – 3:30 pm – 5:00 pm

Attendees:	
Dr. Cecilia Ganduglia Cazaban, UTHealth	Jimmy Blanton, Texas Health and Human Services Commission
Dr. Trudy Krause, UTHealth	Elena Marks, Episcopal Health Foundation
Dr. Bob Morrow, UTHealth	Dr. Lane Aiena, Huntsville Family Medicine
Lee Spangler, UTHealth	Blaise Duran, Employee Retirement System of Texas
Devin York, UTHealth	Jeff Tullos, DistributionNOW
Donna Alexander, UTHealth	Karen Love, Cook Children’s Health Plan
Joseph Harrison, UTHealth	John Petrilla, Meadows Mental Health Policy Institute
Jodie Nassar, UTHealth	Charles Miller, Texas 2036
Gladys Rodriguez, UTHealth	Jennifer Miff, Dallas-Fort Worth Hospital Council Foundation
Pati McCandless, Blue Cross Blue Shield	Dr. Rick Snyder, Texas Medical Association
Holly Holcomb, Childress Regional Med Center	John McCord, Texas Retailers
Kyle McKay, Teacher Retirement System	

1. **Welcome:** **Robert Morrow, MD; Executive in Residence & Associate Professor, UT Health School of Public Health**

2. **Registration and Test Data Submission Update** **Devin York, MBA, PMP; Senior Project Manager, Texas APCD**
 - Mr. York provided an update on the progress being made with data submitter registrations and presented the test submission tracking. Successful submissions are deemed so when a submitter completes one submission that passes each of the validation components. If a submitter receives a failed status for a submission, the data center provides support to the entity through the test phase to obtain a successful. Some additional highlights have been summarized below:
 - Currently there are 216 submitting entities that have registered with 46 who have submitted a test file.
 - A total of 440 file submissions have been recorded.
 - Based on data submitter feedback, the center created a Submissions Portal summary page that reflects a record of each submission that was made along with the file type validation status (*i.e., Expected/Failed or Expected/Passed; Not Expected; and Not Expected/Sent*).
 - A Certification of Completed Testing notice is sent once the one test submission been performed successfully.

3. **Legislative Update** **Lee Spangler, JD; Associate Professor, MPACH, & Executive Director, Texas APCD**

- Mr. Spangler provided a high-level overview of the proposed bills that have relevance to the Texas All Payor Claims Database (TX APCD): House Bill 3414 and Senate Bill 2045. The bills would modify the statute of the Texas APCD. Some of the additions that were discussed by the group and clarified by Mr. Charles Miller (Texas 2036) include:
 - Two new classes of entities who may request and obtain access to the data at the TX APCD providing a 3-entity framework. Each entity classification would have a unique set of rights for the level of data access and publications (*i.e.*, *academic journals, reports*). A summary of the classifications are as follows
 - (1) Qualified Researcher – Qualified researchers under these bills would allow for full access to the data, upon request, for research purposes and publication rights granted.
 - (2) Qualified Market Consultant [NEW] – A Market consultant may be any business that has been setup as a consultant for health benefit plan design(s). Under these proposed bills, this entity designation would allow for full access to the data and no publication rights.
 - (3) Qualified Market Participant [NEW] – A Market participant may include healthcare providers and health plans. These bills propose that Market participants shall have limited access to the data (*i.e.*, *claims for members under the participants' plan or practice*) for the purposes of quality improvement and no publication rights.
 - Mr. Spangler shared that HB 3414 and SB 2045 will alter what the Texas APCD may require for data file submissions. The bills limit data submissions to only include what is on a claims form. Currently the statute allows for the receipt by the APCD of medical, pharmacy, dental, provider, and eligibility files.
 - HB 3414 and SB 2045 also permits for more detailed information to be made available for the public, marketplace consultants, and researchers. The application process for access to the TX APCD data will include a 30-day deadline.
 - The 30-day deadline is placed on the TX APCD for reviewing and approving data access requests. If the timeline is not met by the database, an application will be deemed as approved.
 - Limitations are proposed in the bills for what may constitute as a denied, access request to the data. The entity requesting access must establish its intent to improve cost and quality of healthcare in a general sense. These limitations also eliminate the prohibition of a commercial purpose of the data.
 - Under these bills, future appointments to the Stakeholder Advisory Group will be determined by the governor.
 - In summary, HB 3414 and SB 2045 allow for more detailed reporting to include the naming of providers and extend the potential uses of the data.
- Questions/Comments:
 - Ms. Elena Marks (Episcopal Health Foundation) commented and shared concerns with the possible commercialization of the data in addition to the security (*e.g.*, *data integrity and confidentiality*) of the data with the expansion of the entities that may request access and their approved uses of the data. Mr. Miller responded and shared that the entities requesting data will not be able to resale the data accessed under HB 3414 and SB 2045 and

the bills also limit what each entity may utilize the data for (*e.g., Market consultants may use the data for the purpose of an internal review to support changes/modifications to a health plan*).

- Mr. Jimmy Blanton (Texas Health and Human Services Commission) sought clarification for how the data center may provide access to the data and if any modifications to the process will be brought forth to the Stakeholder advisory group (SAG). Mr. Spangler responded and reassured that any revisions that are required as laid out by an approved bill will be brought to the SAG for transparency, discussion, and feedback. HB 3414 and SB 2045 currently does not denote or reference selling of the data. The data center may provide research services support (*e.g., preparing of the data extract, programming, data analysis, etc.*) with a fee for the support.
- Mr. Spangler shared a separate House bill (HB 2403), known as the Health Insurance Mandatory Advisory Review Center (HIMARC) bill. HIMARC will be charged with creating financial impact or public health report(s) for legislative proposals targeting health insurance benefits and specific, administrative actions required by health insurance plans. HIMARC reports may only be requested by specific entities, including: Lieutenant Governor; Speaker of the House; or Chairs of committees. The financial or public health report must be accompanied by a version of the mandate (*benefit or administrative action*) in a bill form.
 - If passed, HB 2403 may involve the creation of the HIMARC at the data center. This new center additionally be tasked with generating reports that: (1) provide estimates for total spending that might impact the state; (2) support projects specific to administration, utilization, and health care benefits; (3) estimate total spending by insurance plans and members of public center entities to support decisions for particular services and subsequent access to those services; and (4) investigate what is the public support in academia for a mandated intervention(s).
 - The report(s) prepared by HIMARC has to be provided in within 60-days. The structure will be similar to a California law.
- Questions/Comments:
 - Ms. Pati McCandless (BCBS) commented on the collaborative efforts for the promotion of HB 2403 and that funding would come from the industry (health plans).
 - Mr. Jimmy Blanton (HHSC) enquired about HB 2403 and Medicaid. The group discussed the “pay-for” services being referenced in the bill, but the language is not agency and plan specific.
 - **Action Item:** The data center will share with the SAG members the California public reports.
- Mr. Spangler briefly discussed the TX APCD budgetary needs. The data center is in the states’ proposed budget for full funding. The TX APCD is currently on article 11 of the budget (estimated at \$14 million in funding). To support dialogue of the data center and TX APCD, a one-pager was created and shared with the SAG. The one-pager provides a snapshot of the database’ capabilities and it’s potential.

4. Update on Submission Folder Outage **Lee Spangler, JD; Associate Professor, MPACH, & Executive Director, Texas APCD**

- Mr. Lee reminded the group that the center is still currently in the testing phase for the TX APCD and in early 2023, the testing phase was halted by a manual outage to the data submissions folder.

This was prompted by a series of permissions within the submissions folder having been inaccurately set. Mr. Spangler reassured the group that this was never an issue about unauthorized user access and, further, that no data was inappropriately accessed by a qualified, registered data submitter. Permissions have since been corrected so that a data submitter is only able to view their submissions. The timeline for the TX APCD was further delayed by inclement weather and a snow storm that affected Austin, TX and neighboring areas.

- Original mandated date of monthly submissions was April 01, 2023. Due to the outage and the need for submitters to continue their testing to obtain a successful submission, the monthly submissions date will be pushed to be no less than 60 days from the April 01st date.
- Dr. Morrow shared that this will not affect the overall timeline for the Texas APCD.

5. Roadmap

Lee Spangler, JD; Associate Professor, MPACH, & Executive Director, Texas APCD

- **Data Use Agreement**
- **Price Development for Research Access**
- Mr. Spangler presented an updated milestones and roadmap for the Texas APCD. A summary of the roadmap is below:
 - Summer 2023: Monthly Data submissions will begin (*at least 60-days from original start date of April 01, 2023*)
 - Summer/Fall 2023: Historical Data Submissions (*January 01, 2019 through present*) begin
 - Winter 2023: Finalize Application process, documentation (*i.e., Data Use Agreements*), and fees
 - Fall 2024: Data availability for researchers
 - Late Fall 2024: Public Access Portal Availability
- Questions/Comments:
 - Holly Holcombe (Childress Regional Med Center): highlighted the incidence of carriers charging hospitals for group employee health insurance for the data submissions. For Childress Regional Med Center, this charge was directly written on contract renewals (*e.g., \$4 per covered lives: \$20K per year to the carrier*) between the hospitals and carriers.

6. Future Meetings

Robert Morrow, MD; Executive in Residence & Associate Professor, UT Health School of Public Health

- Dr. Morrow asked the group for future virtual meetings that video be on for all participants. The next meeting will take place in June 2023 with a goal for an in-person meeting in Austin in the Fall of 2023.

7. Adjourn

Attachment: TX-APCD One Page Flyer

For comments or questions, please respond to: txapcd@uth.tmc.edu

General Attendees:

Rachel Bowden, TDI
Kenisha Schuster, TDI
Kevin Stewart, TAHP
Lisa Kalakanis, Texas Health and Human Services Commission
Alex Goldson, Superior Health Plan
Cheryl Cizler, Superior Health Plan
Jason Pierce, Super Health Plan
Warren Cooper, Super Health Plan
Will McGowan, Superior Health Plan
Elizabeth Moseley, Superior Health Plan
John Dowd, Superior Health Plan
Jessica Estrada, Superior Health Plan
Emmanuel Kutsandazi, Superior Health Plan
Angelina Melina, US Department of Labor
Dustin Moyer, Center for Improving Value in Healthcare
Galen Harris, Delta Dental
Chris Williams, Guardian Life
Daron Porter, Molina Healthcare
Shalon Kapayou, Molina Healthcare
Sue Weinfurther, Molina Healthcare
Jim Locke, Molina Healthcare