

## HB 10-1332 Colorado Medical Clean Claims Transparency and Uniformity Act Task Force

### Agenda

March 27, 2013, noon – 2 PM MST  
Call-in number: 1-866-740-1260, ID **8586314#**  
Web Login:  
<https://cc.readytalk.com/r/r3zvd53sreq4>

### **Agenda**

- 12:00 PM Roll call, welcoming remarks and housekeeping
- Approve February meeting minutes *to follow separately*
  - Next face to face meeting May 21<sup>th</sup> 12:00 to 6:00 PM MST & May 22<sup>th</sup> 7:30 AM to 3:00 PM MST

### **Committee Reports**

***Committee Reports: introduce committee members; committee principles (if applicable); committee scope of work; report of activities to date; recommendations (draft and final); issues to be resolved or investigated; questions for the full task force; next steps.***

12:10 PM SB 13\_166 Follow-Up – Barry Keene

- 12:20 PM Committee Reports
- Edit– Beth Wright/Mark Painter
  - Rules Committee – Lisa Lipinski
  - Specialty Society – Tammy Banks/Helen Campbell
  - Data Sustaining Repository – Mark Rieger/Val Clark
    1. Rerun the assistant surgery analytics with additional specifications from the Edit Committee
    2. Discuss notice of proposed rules process (Attachment A)
  - Project Management – Barry Keene
    1. Review of MCCTF Timeline document (Attachment B)
  - Finance – Barry Keene
    1. Grant report and application process

1:55 PM Public Comment

2:00 PM ADJOURNMENT

# Attachment A

## MCCTF Notice of Proposed Rule Process March 21, 2013

Once the Task Force has reached consensus approval of the rule the following process will be followed to notify interested parties, take comments and finalize the rule. A cover letter under the Task Force/State letterhead will accompany the notification and provide background information on the Task Force, its statutory scope, composition, and the process followed in its deliberations.

### I. File notice of the proposed rule online

- The notice will be posted on the MCCTF website and electronic notification will be sent to the interested parties alerting them.  
We can post on the MCCTF website but where else?
- Initially how will we identify “interested” parties by utilizing the communication networks of the Colorado Association of Health Plans, Colorado Medical Society, American Medical Association, and vendor organizations [see Henneberry’s letter]. Additionally notification will be sent to Health & Human Services, the Colorado Division of Insurance, Colorado Division of Workers Compensation, and Colorado Health Care Policy and Finance.
- We will add a “sign up” place on the MCCTF website for interested parties to receive direct notification of future proposed rules.\*

### II. Notification should include enough information for the public to understand the proposed rule, its potential impact, and the decision making process the MCCTF used to arrive at the recommendation. It should include the “recipe”:

- Edit/payment rule name and definition;
- Associated modifiers;
- Rule logic (including a payment rule hierarchy where there are multiple sources and how to handle termed edits);
- Rationale for the rule;
- Administrative guidelines for handling special billing situations;
- Specialty outreach; and

A summary of the decision.

### III. Provide information on how to submit comments and by when.

- Take comments only by electronic submission to the MCCTF e-mail address, provide an automatic acknowledgement receipt with an indication of the next steps/timeframe.\*
- Identify what format the comments should be in and the type of rationale/information necessary for a complete evaluation.

*The Co-chairs/Task Force needs to determine what information will be required for us to consider the comment actionable. AMA*

*is to provide the format NCCI uses regarding supporting rationale, this may provide some guidance.*

- Commenter should provide a contact person in case more information is needed.

*For the initial review process a 30-day comment period should be sufficient, knowing there will be another opportunity for input before the final implementation date.*

#### IV. Evaluation of comments

- The MCCTF co-chairs will do an initial evaluation of the comments, if they will include their evaluations as part of a regularly scheduled committee meeting.
  - o To facilitate the process, the comments will be posted to the Task Force members' site for review. Members will be notified and asked to review and post their comments within xx days.
  - o Committee co-chairs evaluate member input and present to their own committee members for consensus recommendation to the whole Task Force.
- Task Force reaches consensus on committee recommendations regarding comments, including rationale for decision.

*The Task Force will complete its review of all comments with consensus recommendations by 60 days after the close of the comment perio.?*

#### V. Notification of proposed rule findings and final rule.

- As the federal register and other government agencies do, the MCCTF would provide a summary of the comments it has received and their deliberations/decisions for each.
- This notification would be posted on the same website and notification would be sent out to the interested parties.
- The notification would provide the final determination.
  - Should we repeat the same "recipe" information as identified under II. above?
- The notification would include the "effective" date or implementation date and specific statutory requirements.

*Notification of the rule findings and finalization will be completed within 180 days of publication.*

- Connor we will need the "sign up" function on the MCCTF website by mid-April.
- We need to verify that the MCCTF contact us email is functional and determine who the emails are delivered to, also by mid-April.

# Attachment B



FORCE, HB10-1332

## Work Plan and Statutory Deadlines as of March 6, 2013

### I. TASK FORCE WORK PLAN

Activity	Deadline	Status
<b>2012</b>		
Task force reviews and comments on draft RFI for data analytics contractor <sup>1</sup> and subsequent DSR operator.	---	DONE
Co-chairs finalize and issue RFI.	---	DONE
Responses to RFI due.	---	DONE
Task force receives report on RFI responses.	---	DONE
New Payment Rules Committee is formed and begins review of sourced payment rules based on definitions to see which are benefit-related and need to be examined to determine if appropriate.	---	ONGOING
Task force discusses key elements of data analytics contractor RFP and criteria for selection of data analytics contractor.	---	DONE
Task force reviews recommendations and comes to consensus on data analytics RFP contents.	---	DONE
1 <sup>st</sup> task force report submitted to Health Care Policy & Financing and the General Assembly.	---	DONE

<sup>1</sup> Data analytics—In its November 2012 report the legislature, the task force wrote: “[The task force] determined that it needed to begin with the entire universe of edits currently used by payers, which requires an electronic repository to compile the different edits currently being used. This will allow the task force to make queries to select among the edits to establish the uniform edit set. The task force refers to this as **data analytics**.”

2013		
Bill drafted to, and sponsors secured for, a bill to be introduced in the 2013 legislative session to extend statutory task force final report and recommendations by one year—SB 13-166.	January 2013	DONE
Barry Keene presents task force report to legislature and testifies on SB 13-166. .	January 2013	DONE
Edit Committee submits for consensus to the Task Force: 1) most of the comments on CPT modifiers (e.g., “this is a payment modifier,” “doesn’t override edits,” “documentation required,” “informational,” etc.) and 2) HCPCS modifiers (e.g., “out of scope,” “informational,” “payment modifier—(A) Unbundling (NCCI),” etc.	February 2013	DONE
DSR submits for consensus to the Task Force amendments to the Task Force Process for Developing a Standardized Set of Claims Edits and Payment Rules	February 2013	DONE
<p>Task force approves a template for the <b>claims edit and payment rule recipes (“edit rule recipes”)</b> format that includes:</p> <ul style="list-style-type: none"> <li>• the edit/payment rule name and definition;</li> <li>• modifiers involved;</li> <li>• the rule logic itself (including a payment rule hierarchy where there are multiple sources and how to handle termed edits) and specs that enable the data analytics ;</li> <li>• rationale for the rule;</li> <li>• specialty outreach; rule logic (specs) that enables the data analytics operator to use apply the rule logic; administrative guidelines for special billing situations</li> </ul>	February 2013	DONE
Task force does a trial data analytics exercise for an edit category ( assistant at surgery) to see how the Process for Developing a Standardized Set of Claims Edits and Payment Rules works and modify the process as necessary.	February 2013	DONE
Executive committee submit and task force approves process for soliciting public comments on draft initial proposed claims edit and payment rules set (e.g., mechanism for submitting comments, format, scope of comments, etc.).	March 2013	
[Federation? Others?] are notified that the task force will be sending out for review and comment, three rounds of proposed edit rule recipes in April, May and June.	March 2013	
<p>DSR committee works on recommendations concerning data repository operations when the standardized set is finalized and ready for implementation and use by vendors, insurers and others. This includes implementation, updating, and dissemination of the standardized set of payment rules and claim edits, including:</p> <ul style="list-style-type: none"> <li>○ who is responsible for establishing a central repository for accessing the rules and edits set and</li> <li>○ enabling electronic access--including downloading capability--to the rules and edits set</li> </ul>	April– August 2013	

2013 continued		
DSR Committee submits data repository operations recommendations to the task force and task force reviews and approves recommendations concerning the implementation, updating, and dissemination of the standardized set of payment rules and claim edits, including: <ul style="list-style-type: none"> <li>○ who is responsible for establishing a central repository for accessing the rules and edits set and</li> <li>○ enabling electronic access--including downloading capability--to the rules and edits set</li> </ul>	September 2013	
Edit and Payment Rules committees work on the <u>draft edit rule recipes for the <b>first third</b></u> of claims edits and payment rules and submit to task force for approval.	March - April 2013	
Task force reviews and approves draft first third of draft edit rule recipes.	April 2013	
First one-third of draft edit rule recipes circulated to [Federation?] for review and comment.	April - May 2013	
After reviewing comments received on first one-third of draft edit rule recipes, task force finalizes and approves first third of recipes.	May 2013	
Edit and Payment Rules committees work on the <u>draft edit rule recipes for the <b>second third</b></u> of claims edits and payment rules and submit to task force for approval.	April - May 2013	
Task force reviews and approves draft second third of draft edit rule recipes.	May 2013	
Second third of draft edit rule recipes circulated to [Federation?] for review and comment.	May - June 2013	
After reviewing comments received on second one-third of draft edit rule recipes, task force finalizes and approves first third of recipes.	June 2013	
Edit and Payment Rules committees work on the <u>draft edit rule recipes for the <b>final third</b></u> of claims edits and payment rules and submit to task force for approval.	June - July 2013	
Task force reviews and approves draft final third of draft edit rule recipes.	June 2013	
Final one-third of draft edit rule recipes circulated to [Federation?] for review and comment.	June - July 2013	
After reviewing comments received on final third of draft edit rule recipes, task force finalizes and approves final third of recipes.	July 2013	
Task force secures funding to hire a data analytics consultant.	May 2013	
RFP for data analytics contractor issued.	May 2013	

<b>2013 continued</b>		
Proposals from data analytics contractors due. Executive Committee and three unconflicted task force members review and score RFP responses.	June 2013	
Task force reviews and approves selection of an RFP contractor based on scoring.	July 2013	
Contract for data analytics contractor signed.	August 2013	
Data analytics contractor establishes system to accept and analyze edits.	August 2013 – January 2014	
Task force solicits interested parties to put their contact information on an interested parties list of insurers, vendors and others who want to be notified of solicitations for input, comments, task force hearings, etc.	Ongoing starting in June 2013	
Task force publishes notice of intent to solicit edits for inclusion in the data analytics model and specifies form in which edits should be submitted to the data analytics contractor. Notice is sent to interested parties list.	December 2013	
2nd task force progress report submitted to Health Care Policy & Financing and the General Assembly	November 2013	

<b>2014</b>		
Contractor ready to accept edits from vendors, payers, others.	January 2014	
Deadline for edit submissions	March 2014	
Contractor analyzes edit sets as directed to enable Edit and Payment Committees to make recommendation to the full task force for a proposed standardized edit set. Appropriate committees/task force works on this and contractor refines system as necessary.	March – June 2014	
Complete proposed standardized edit set ready for review and approval by task force.	June 2014	
Proposed standardized edit set published for review and for interested parties to run their claims through the proposed set. Task force also solicits comments on its recommendations for DSR operations--who is responsible for establishing a central repository for accessing the rules and edits set and enabling electronic access--including downloading capability--to the rules and edits set.	June – August 2014	
Comments due on proposed standardized edit set and DSR operations.	August 2014	

2014 continued		
Task force reviews comments and task force/a committee recommend changes to edit set and recommended DSR operations based on public comment.	October 2014	
Task force reviews and approves final standardized edit set and DSR operations recommendations.	November 2014	
<p>Task Force submits final report to legislature and executive director of Department Health Care Policy &amp; Financing that:</p> <ul style="list-style-type: none"> <li>• Recommends implementation of a set of uniform standardized payment rules and claim edits to be used by payers and providers;</li> <li>• Makes recommendations concerning the implementation, updating, and dissemination of the standardized set of payment rules and claim edits, including: <ul style="list-style-type: none"> <li>○ who is responsible for establishing a central repository for accessing the rules and edits set and</li> <li>○ enabling electronic access--including downloading capability--to the rules and edits set; and</li> </ul> </li> <li>• Includes a recommended schedule for commercial health plan payers to implement the standardized set.</li> </ul>	December 31, 2014	

## II. STATUTORY DEADLINES

Activity	Deadline <sup>2</sup>	Status
Task Force shall submit a progress report to the Executive Director and Colorado Senate and House Human Services Committees.	November 30, 2012	DONE
Task Force shall present its progress report to a joint meeting of the Colorado House and Senate Human Services Committees.	January 31, 2013	DONE
<p>The Task Force shall continue working to develop a complete set of uniform, standardized payment rules and claim edits to be used by payers and health care providers and shall submit a report and may recommend implementation of a set of uniform standardized payment rules and claim edits to be used by payers and health providers. As part of its recommendations, the Task Force shall:</p> <ul style="list-style-type: none"> <li>• Make recommendations concerning the implementation, updating, and dissemination of the standardized set of payment rules and claim edits, including               <ul style="list-style-type: none"> <li>○ who is responsible for establishing a central repository for accessing the rules and edits set and</li> <li>○ enabling electronic access--including downloading capability--to the rules and edits set; and</li> </ul> </li> <li>• Include a recommended schedule for payers that are commercial health plans to implement the standardized set.</li> </ul>	December 31, 2014	
Payers that are commercial plans shall implement the standardized set within their claims processing systems.	According to a schedule in Task Force rec's or Jan 1, 2016, whichever occurs first	
Payers that are domestic, nonprofit health plans shall implement the standardized set within their claims processing systems.	January 1, 2017	

<sup>2</sup> Assumes bill to extend certain deadlines passes.