

Medicare Data and SGR

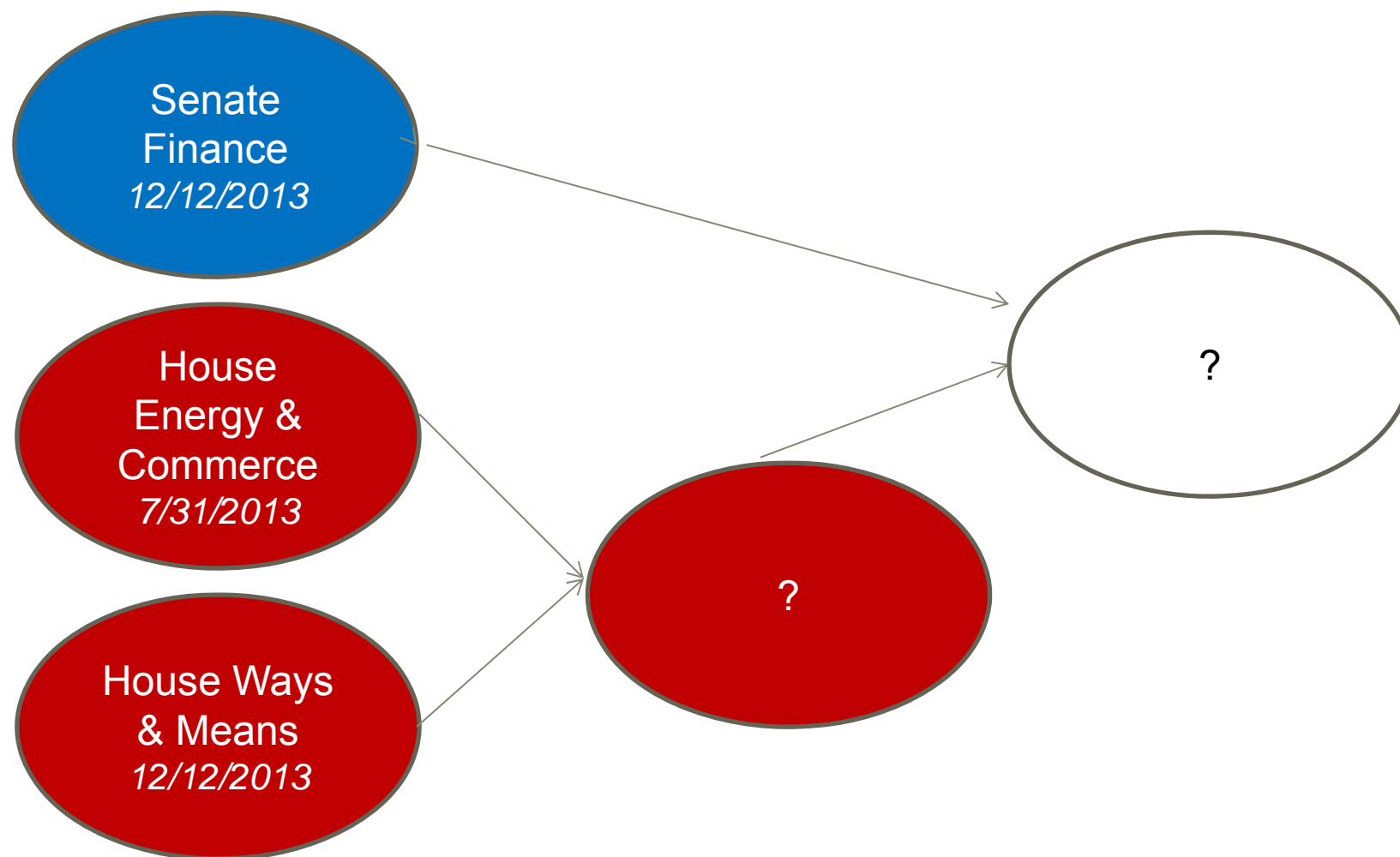
Limitations in Existing QE Statute

- Data may only be used for public reporting
- QEs cannot provide data to downstream users
- QEs cannot charge fees for the data
- Allows only for use of standard measures; alternative measures allowed only if deemed by Secretary as “more valid, reliable, response to consumer preferences, cost-effective, or relevant”
- Does not allow for Medicare-only analyses

Key “Fixes” to QE Program

- Allow QEs to provide their users/subscribers access to Medicare data and develop custom, proprietary (i.e., non-public) reports that are specific and useful for improvement purposes
- Permit QEs to charge a fee to subscribers accessing data and reports
- Permit QEs to work with their statewide stakeholders to define the measures that they will use to compare provider performance, consistent with nationally approved or endorsed measures or developed through a transparent process

3 Separate SGR Proposals Adjust QE Program



House Energy & Commerce Proposal on Expanding QE Program

■ Key changes to QE program:

- Creates non-public reporting option for QEs that is exempt from specifications/limitations applicable to existing law governing public reports
- Allows QEs to use data for non-public analyses (as determined appropriate by the Secretary)
- Allows QEs to provide or sell data to any registered or authorized users and subscribers for non-public uses

House Ways & Means Proposal on Expanding QE Program

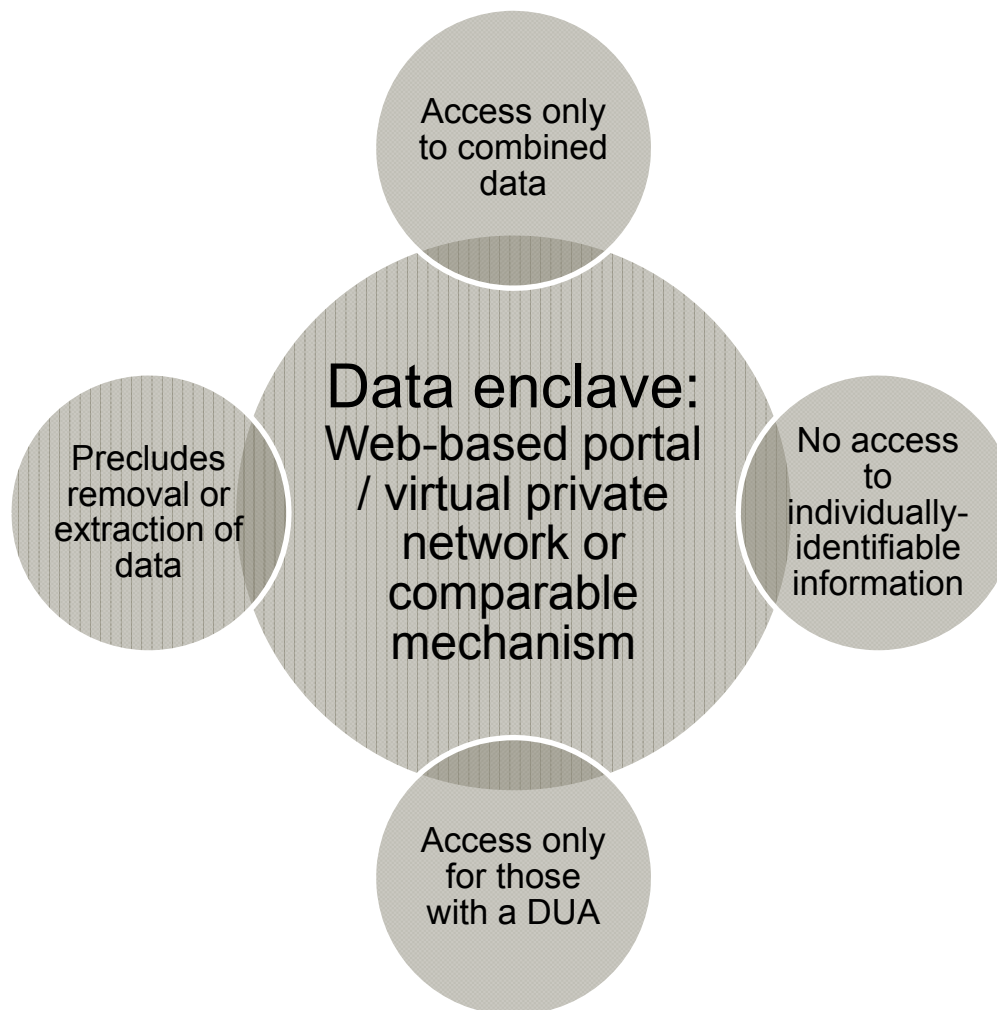
■ Key changes to QE program:

- Allows QEs to conduct analyses for approved entities for non-public uses for certain purposes
- Allows QEs to provide or sell analyses to approved entities
- Allows QEs to provide data access to a subset of the approved entities through a “qualified data enclave”

■ Limitations/Requirements

- Does not allow QE to provide or sell data sets to downstream users/subscribers for custom analyses
- Limits approved entities to providers, suppliers, employers (as defined by ERISA), health insurance issuers, medical societies/hospital associations, and other entities approved by the Secretary
- Prohibits employers and health insurers’ access to data through data enclave
- Requires a separate review and correction process for non-public reports
- Restricts uses and analyses to “combined data”

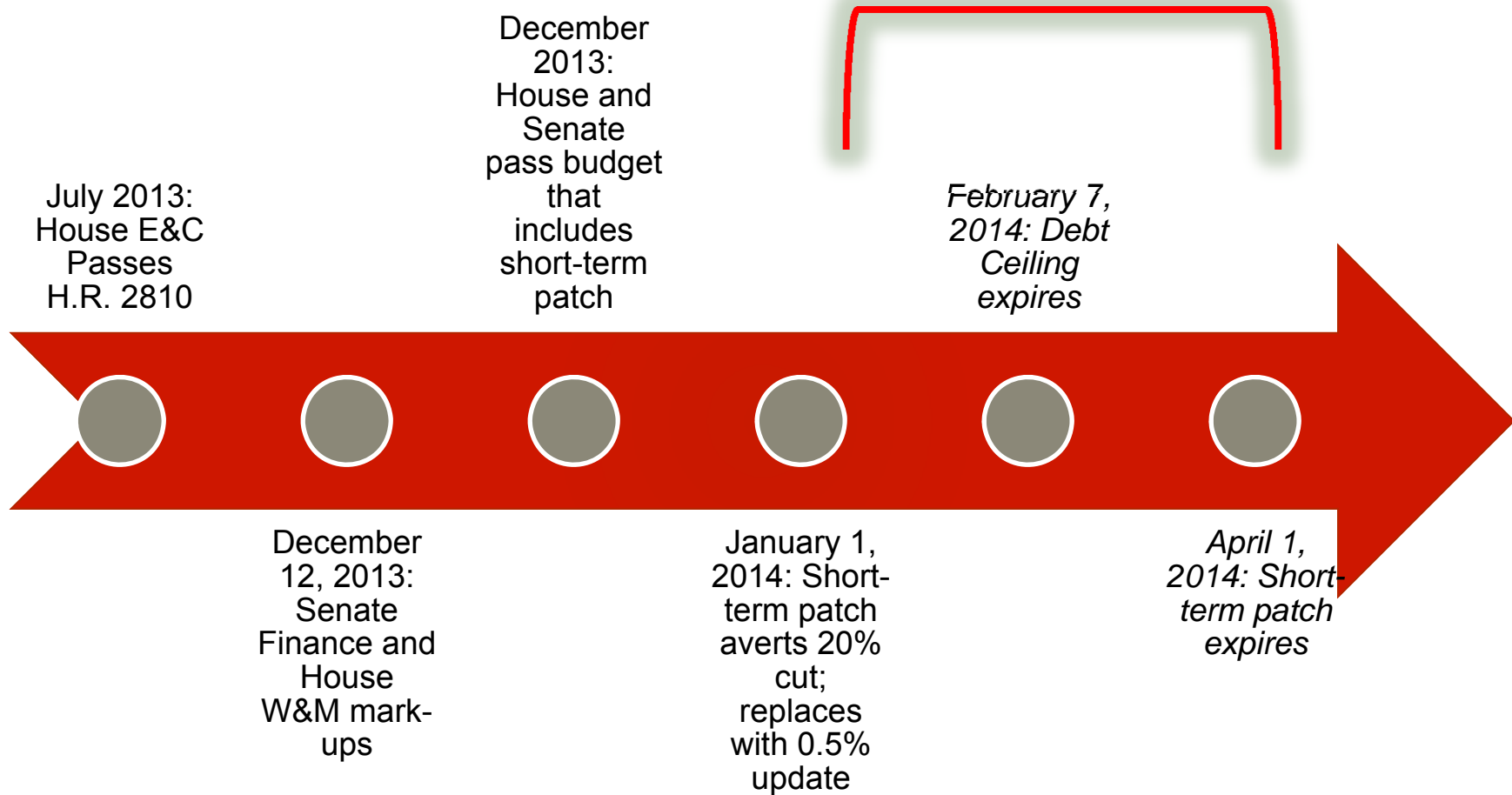
Qualified Data Enclave



Senate Finance Proposal on Expanding QE Program

- Changes are identical to Ways & Means proposal, *but* in addition to data enclave, allow for QEs to provide or sell data through an approved alternative method which is approved by the Secretary as
 - Being as secure as a qualified data enclave;
 - Meeting standards regarding removal of patient-identifying information; and
 - Done pursuant to a data use agreement.

SGR Timeline



Next Steps for Advocacy
