**MHDO**

Maine Health

Data Organization

**Information │ Insight │ Improvement**

BOARD OF DIRECTORS

Virtual Meeting

THURSDAY, November 4, 2021

9:30 a.m. - 10:30 a.m.

The virtual meeting of the Maine Health Data Organization (MHDO) Board of Directors began at approximately 9:30 a.m. with the following Board members in attendance: Dr. Neil Korsen (Chair), Joel Allumbaugh, Andy Ellis, Peter Gore, Anne Head (Vice Chair), Lisa Harvey-McPherson, Michelle Probert, David Regan, and Ronald Watson. Also participating were Karynlee Harrington, Executive Director and Deanna White, Agency Assistant Attorney General.

**Chair Report**

Dr. Korsen opened the virtual meeting with introductions and a review of the voting protocol for virtual meetings. The board reviewed and voted unanimously to approve as drafted the September 23, 2021 meeting notes. Dr. Korsen discussed with the board the process for electing a new board chair. Board members interested in the position should e-mail Karynlee. The board will take a vote on the matter at the December 2, 2021 board meeting. Neil then asked Karynlee for her report.

**Executive Director Report**

**Refer to Meeting Presentation which can be found here:** [**https://mhdo.maine.gov/boardMtngs.htm**](https://mhdo.maine.gov/boardMtngs.htm) **Details on topics are summarized below:**

**Vote on Final Adoption of Rule Chapter 570, *Uniform Reporting System for Prescription Drug Price Data Sets (major substantive rule)***

Karynlee reviewed with the board the following: LD 686, *An Act to Increase Prescription Drug Price Transparency* passed in the last legislative session, Public Law 2021, Chapter 305, and bec~~a~~me effective October 18, 2021. As previously discussed, there are several provisions in Rule Chapter 570 that are inconsistent with the new law. When this happens, the statute overrides inconsistencies in the rule. She e-mailed to the Board in advance of the meeting a clean copy of Rule Chapter 570, that includes the proposed changes that they provisionally adopted in October 2020; and then the Legislature and Governor passed.

The clean version of the rule includes three notes that address the inconsistencies in the new law and in the rule. Notes can be found at the bottom of Section 2. B. 3. Page 4; the end of Section 2. C. 1. a. Page 4; and at the end of Section 6. B. Page 11. A motion was made and seconded to vote in favor of final adoption of rule Chapter 570, Uniform Reporting System for Prescription Drug Price Data Sets, as annotated; and to authorize Karynlee to sign the MAPA 1 form. Motion passed unanimously.

**Vote on Enforcement Issue Specific to Rule Chapter 570, *Uniform Reporting System for Prescription Drug Price Data Sets***

To address the issue that was agreed to in the HCIFS committee work session regarding the level of reporting for the Pharmacy Benefit Managers in Chapter 570 that inadvertently was not included in the final version of the rule, the board voted unanimously to the following: *That the Board of Directors of MHDO hereby partially suspends enforcement of 90-590 CMR Chapter 570, Section 2(J)(3) so that the MHDO shall enforce collection of the pricing component data from Pharmacy Benefits Mangers only for the data relevant to Maine, rather than the United States, including for each NDC the Pricing Units Administered, the Total Pharmacy Reimbursement, the Total Payment Received, the Total Rebate Receivable, the Total Rebate Payable Amount and any additional information, if applicable.*

**Vote on Adoption of Rule Chapter 241, *Uniform Reporting System for Hospital Inpatient Data Sets and Hospital Outpatient Data* Sets, as Proposed**

Karynlee reviewed with the board the following: that no verbal or written comments were received on the proposed rule changes; and that the Board received a clean copy of the rule which includes the proposed changes as originally presented. A motion was made and seconded to vote in favor of final adoption of Rule Chapter 241, *Uniform Reporting System for Hospital Inpatient Data Sets and Hospital Outpatient Data* Sets, as proposed; and to authorize Karynlee to sign the MAPA 1 form. Motion passed unanimously.

**Rule Chapter 243, *Uniform Reporting System for Health Care Claims Data Sets***

Karynlee reviewed the contents of the Basis Statement with the board. There were written comments submitted to MHDO by UnitedHealthcare (UHC). After reviewing the comments from UHC and staff’s response to the comments the board agreed that there was no additional action required. The board received a clean copy of the rule which includes the proposed changes as originally presented. A motion was made and seconded to vote in favor of final adoption of Rule Chapter 243, *Uniform Reporting System for Health Care Claims Data Sets,* as proposed; and to authorize Karynlee to sign the MAPA 1 form. Motion passed unanimously.

**Rule Chapter 247, *Uniform Reporting System for Non-Claims Based Payments***

Karynlee reviewed the contents of the Basis Statement with the board. There were written comments submitted to MHDO by the Maine Quality Forum; and a verbal comment made at the Public Hearing by a representative from Anthem Blue Cross & Blue Shield. The board agreed to the recommendations and proposed revisions to the Rule because of the comments. However, the last comment made, comment # 5 specific to Appendix B was not fully addressed by staff. The commentor recommended that MHDO remove the Milbank abstract from Appendix B and instead add language regarding “adapted from”. Karynlee will work with the commentor on suggested language and bring back to the board for their final review and approval at the December 2, 2021 MHDO board meeting.

**Vote on Enforcing the new provisions in Rule Chapter 270, *Uniform Reporting System for Health Care Quality Data Sets***

Karynlee reminded the Board of the action they took at the request of the Maine Hospital Association because of the Pandemic to suspended enforcement of the following new reporting requirements that otherwise would have been new effective in 2020:

**HAI-6** Catheter-associated urinary tract infection rates for adult and pediatric patients in intensive care units, medical units, surgical units, medical/surgical units, mixed acuity units and rehabilitation units;

**HAI-7** Surgical Site Infection rate for patients undergoing inpatient knee prosthesis (arthroplasty of knee) surgical procedures (KPRO);

**HAI-8** Surgical Site Infection rate for patients undergoing inpatient hip prosthesis (arthroplasty of hip) surgical procedures (HPRO); and

**Nursing Facilities** shall make a quarterly submission to the MHDO of data, separated by month, for *Clostridium difficile* Lab ID Events for all facility-wide residents.

A motion was made and seconded to enforce~~s~~ the requirements for HAI-6, 7, 8 and the Nursing Facilities, effective July 1, 2022. Motion passed unanimously.

**Status of Reports Due to Legislature and Timelines**

Karynlee reviewed the anticipated timing of the following two reports:

*Annual Prescription Drug Pricing Transparency Report*. PL 2020, Chapter 470. Due to Joint Standing Committee on Health Coverage, Insurance and Financial Services (HCIFS). Karynlee plans to send to the MHDO Board a draft of the report the week of November 15th.

*Report on Best Methods and Definitions to Use in Collecting Data to Better Understand Racial and Ethnic Disparities in the Provisions of Health Care in Maine* (including suggested legislation). Resolve 2021, Chapter 34. Due to HCIFS January 1, 2022. Karynlee plans to send the board a draft report the week of December 13, 2021.

**Proposed Board Meeting Schedule for 2022**

Karynlee suggested the following board meeting schedule for 2022:

* February 3, 2022
* April 7, 2022
* June 2, 2022
* October 6, 2022
* Meeting start time: 9am-10:30am

Karynlee also noted that additional meetings may be scheduled depending on issues and needs. No concerns were raised by the board regarding the proposed schedule. Staff will post on MHDO website and Karynlee will send out meeting appointments.

**Maine Quality Forum (MQF)**

Karynlee reported on the key activities that the MQF is working on. This includes updates on the development of the annual report on Primary Care Spending in the State of Maine; participating in LD 1196, *Investments in Primary Care & Behavioral Health,* Stakeholder Group, (as requested by HCIFS Committee); preparing annual report on Rates of Healthcare Associated Infections in State of Maine; and updating the quality data on CompareMaine. These include:

Preventing Serious complications

Preventing Healthcare- Associated Infections

Preventing Falls with Injury

Preventing Pressure ulcers

Unplanned Hospital-Wide Readmissions

Karynlee provided an update on Project Firstline and reminded the board of the new content that has been added to the Infection Prevention Forum website (the infection prevention online learning modules for healthcare and direct care professionals that has been developed in partnership with Maine CDC, University of Southern Maine and the Federal CDC). Karynlee shared the link to the site and encouraged board members to review the site as applicable. <https://maineinfectionpreventionforum.org/>

**Public Comments**

None

The meeting adjourned at approximately 10:30 a.m.