

90-590 MAINE HEALTH DATA ORGANIZATION**Chapter 50: PRICES FOR DATA SETS, FEES FOR PROGRAMMING AND REPORT GENERATION, DUPLICATION RATES**

SUMMARY: This Chapter lists the prices for data sets available to the public from the Maine Health Data Organization, the fees for programming and report generation, and duplicating charges.

1. Definitions.

- A. **Assessed Entity.** An "assessed entity" means a health care provider, health insurance entity, third-party administrator, or retail store drug outlet, as defined by the Maine Health Data Organization Determination of Assessments Rule (90-590 C.M.R. Chapter 10) in effect at the time of the data request that has paid assessments to the MHDO for a minimum of two consecutive fiscal years.
- B. **Clinical Data.** "Clinical data" mean health care claims data, hospital data, non-hospital health care facility data, quality data, and all other data as described in 22 M.R.S.A. Sections 8708, 8708-A, and 8711.
- C. **Commercial Entity.** A "commercial entity" means a for-profit business or organization that purchases MHDO data or information for resale in any form.
- D. **Educational Entity.** An "educational entity" means any public or private elementary or secondary school, and any public or private post-secondary institution.
- E. **Financial Data.** "Financial data" means information consisting of or derived directly from data providers pursuant to 90-590 CMR Chapter 300 Maine Health Data Organization *Uniform Reporting System for Hospital Financial Data*. "Financial data" do not include analysis, reports, or studies if those analyses, reports, or studies have already been released as part of a general distribution of public information by the MHDO.
- F. **Health Care Claims Data.** "Health care claims data" means information consisting of or derived directly from member eligibility, medical claims, pharmacy claims, and/or dental claims files submitted by health care claims processors pursuant to the Maine

Health Data Organization Uniform Reporting System for Health Care Claims Data Sets Rule (90-590 C.M.R. Chapter 243) in effect at the time of the data request. "Health care claims data" do not include analysis, reports, or studies containing information from health care claims data sets, if those analyses, reports, or studies have already been released in response to another request for information or as part of a general distribution of public information by the MHDO.

- G. Hospital Data. "Hospital data" means information consisting of or derived directly from hospital inpatient, outpatient, emergency department, or any other derived data sets filed or maintained pursuant to the Maine Health Data Organization Uniform Reporting System for Hospital Inpatient Data Sets and Hospital Outpatient Data Sets Rule (90-590 C.M.R. Chapter 241) in effect at the time of the data request. "Hospital data" do not include analysis, reports, or studies containing information from hospital data sets, if those analyses, reports, or studies have already been released in response to another request for information or as part of a general distribution of public information by the MHDO.
- H. MHDO. "MHDO" means the Maine Health Data Organization or its predecessor agencies.
- I. Non-Hospital Health Care Facility Data. "Non-hospital health care facility data" means information or data consisting of or derived directly from data sets filed or maintained pursuant to the Maine Health Data Organization Uniform Reporting System for Non-Hospital Ambulatory Service Data Sets Rule (90-590 C.M.R. Chapter 245) in effect at the time of the data request. "Non-hospital health care facility data" do not include analysis, reports, or studies containing information from non-hospital health care facility data sets, if those analyses, reports, or studies have already been released in response to another request for information or as part of a general distribution of public information by the MHDO.
- J. Non-Profit Entity. A "non-profit entity" means a governmental agency or public or private organization that has been determined to be exempt from taxation under the United States Internal Revenue Code, Section 501 (c).
- K. Quality Data. "Quality data" means information consisting of or derived directly from data providers pursuant to 90-590 CMR Ch. 270 Maine Health Data Organization *Uniform Reporting System for Quality Data Sets*. "Quality data" do not include analysis, reports, or studies if those analyses, reports, or studies have already been

released as part of a general distribution of public information by the MHDO.

- L. **Redistributor.** A "redistributor" means any commercial entity, assessed entity, or non-profit entity that purchases MHDO data for inclusion in a larger composite database that is publicly released.
- M. **Restricted Data Set.** "Restricted data set" means data or information containing data elements as described in subsections 9(A) (2), (3), and (4) of the Maine Health Data Organization Release of Data to the Public Rule (90-590 C.M.R. Chapter 120) in effect at the time of the data request.
- N. **Unrestricted Data Set.** "Unrestricted data set" means data or information containing none of the data elements as described in subsections 9(A) (2), (3), and (4) of the Maine Health Data Organization Release of Data to the Public Rule (90-590 C.M.R. Chapter 120) in effect at the time of the data request.

2. Processing Fee.

A non-refundable processing fee of \$25 is to be paid with all requests for data sets, files, reports, or tables as set forth in sections 3 and 4 of these rules.

3. Clinical Data Set Prices.

- A. **Maine Hospital Data Sets.** The price schedules and data availability for individual record level data sets derived from data submitted by all Maine-licensed hospitals are as follows:

1. Unrestricted Data Sets.

| Data Set | First Year Available | Entity Requesting Data | | | | | | | |
|-----------------|----------------------|------------------------|----------|-------------|----------|------------------------|----------|---------------|----------|
| | | Commercial | | Assessed | | Non-Profit/Educational | | Redistributor | |
| | | Per Quarter | Per Year | Per Quarter | Per Year | Per Quarter | Per Year | Per Quarter | Per Year |
| Inpatient | 1980 | \$375 | \$1,300 | \$202 | \$697 | \$185 | \$650 | \$1,250 | \$4,325 |
| Outpatient | 1998 | \$750 | \$2,600 | \$337 | \$1,170 | \$310 | \$1,100 | \$2,065 | \$7,140 |
| Emergency Dept. | 2000 | \$750 | \$2,600 | \$337 | \$1,170 | \$310 | \$1,100 | \$2,065 | \$7,140 |

2. Restricted Data Sets.

| Data Set | First Year Available | Entity Requesting Data | | | | | | | |
|--------------------------|----------------------|------------------------|----------|-------------|----------|------------------------|----------|---------------|----------|
| | | Commercial | | Assessed | | Non-Profit/Educational | | Redistributor | |
| | | Per Quarter | Per Year | Per Quarter | Per Year | Per Quarter | Per Year | Per Quarter | Per Year |
| Inpatient | 1980 | \$430 | \$1,500 | \$234 | \$810 | \$215 | \$750 | \$1,445 | \$5,000 |
| Outpatient | 1998 | \$860 | \$3,000 | \$387 | \$1,350 | \$360 | \$1,250 | \$2,385 | \$8,250 |
| Emergency Dept. | 2000 | \$860 | \$3,000 | \$387 | \$1,350 | \$360 | \$1,250 | \$2,385 | \$8,250 |
| Practitioner Identifiers | 2000 | - | \$1,500 | - | \$675 | - | \$625 | - | \$4,125 |

B. Health Care Claims Data Set. The price schedules and data availability for individual record level data files derived from data submitted by all Maine-licensed commercial and major governmental payers related to claims paid for Maine residents are as follows:

1. Unrestricted Data Set.

| Data Set | First Year Available | Entity Requesting Data | | | | | | | |
|--------------------|----------------------|------------------------|----------|-------------|----------|------------------------|----------|---------------|----------|
| | | Commercial | | Assessed | | Non-Profit/Educational | | Redistributor | |
| | | Per Quarter | Per Year | Per Quarter | Per Year | Per Quarter | Per Year | Per Quarter | Per Year |
| Member Eligibility | 2003 | \$1,450 | \$5,000 | \$652 | \$2,250 | \$575 | \$2,000 | \$2,400 | \$8,280 |
| Medical Claims | 2003 | \$2,300 | \$8,000 | \$1,035 | \$3,600 | \$1,000 | \$3,500 | \$3,750 | \$12,975 |
| Pharmacy Claims | 2003 | \$1,000 | \$3,500 | \$450 | \$1,575 | \$360 | \$1,250 | \$1,600 | \$5,515 |
| Dental Claims | 2003 | \$1,000 | \$3,500 | \$450 | \$1,575 | \$360 | \$1,250 | \$1,600 | \$5,515 |

2. Restricted Data Set.

| Data Set | First Year Available | Entity Requesting Data | | | | | | | |
|--------------------------|----------------------|------------------------|----------|-------------|----------|------------------------|----------|---------------|----------|
| | | Commercial | | Assessed | | Non-Profit/Educational | | Redistributor | |
| | | Per Quarter | Per Year | Per Quarter | Per Year | Per Quarter | Per Year | Per Quarter | Per Year |
| Member Eligibility | 2003 | \$1,870 | \$6,500 | \$841 | \$2,925 | \$720 | \$2,500 | \$2,820 | \$9,750 |
| Medical Claims | 2003 | \$2,875 | \$10,000 | \$1,296 | \$4,500 | \$1,150 | \$4,000 | \$4,335 | \$15,000 |
| Pharmacy Claims | 2003 | \$1,220 | \$4,250 | \$549 | \$1,912 | \$500 | \$1,750 | \$1,850 | \$6,375 |
| Dental Claims | 2003 | \$1,220 | \$4,250 | \$549 | \$1,912 | \$500 | \$1,750 | \$1,850 | \$6,375 |
| Practitioner Identifiers | 2003 | - | \$3,500 | - | \$1,530 | - | \$1,400 | - | \$5,000 |

C. Non-Hospital Ambulatory Services Data Set. The price schedules and data availability for individual record level data sets derived from data submitted by Maine-licensed non-hospital health care facilities performing specific ambulatory services:

1. Unrestricted Data Set.

| Data Set | Years Available | Entity Requesting Data | | | | | | | |
|------------------|-----------------|------------------------|----------|-------------|----------|------------------------|----------|---------------|----------|
| | | Commercial | | Assessed | | Non-Profit/Educational | | Redistributor | |
| | | Per Quarter | Per Year | Per Quarter | Per Year | Per Quarter | Per Year | Per Quarter | Per Year |
| Non-Hosp. Ambul. | 1990-2002 | \$285 | \$1,000 | \$126 | \$450 | \$115 | \$400 | \$430 | \$1,500 |

2. Restricted Data Set.

| Data Set | Years Available | Entity Requesting Data | | | | | | | |
|------------------|-----------------|------------------------|----------|-------------|----------|------------------------|----------|---------------|----------|
| | | Commercial | | Assessed | | Non-Profit/Educational | | Redistributor | |
| | | Per Quarter | Per Year | Per Quarter | Per Year | Per Quarter | Per Year | Per Quarter | Per Year |
| Non-Hosp. Ambul. | 1990-2002 | \$360 | \$1,250 | \$162 | \$562 | \$140 | \$500 | \$540 | \$1,825 |

D. Quality Data Sets. The price schedule and data availability for data sets derived from data submitted by all Maine-licensed hospitals are as follows:

| Data Set | First Year Available | Entity Requesting Data | | | | | | | |
|---|--------------------------|------------------------|----------|-------------|----------|------------------------|----------|---------------|----------|
| | | Commercial | | Assessed | | Non-Profit/Educational | | Redistributor | |
| | | Per Quarter | Per Year | Per Quarter | Per Year | Per Quarter | Per Year | Per Quarter | Per Year |
| Hospital Healthcare Quality Data (CMS Measures) | 3 rd Qtr 2005 | \$100 | \$200 | \$54 | \$108 | \$50 | \$100 | \$150 | \$300 |
| Nursing Sensitive Indicator Data | 2006 | \$150 | \$300 | \$81 | \$135 | \$75 | \$125 | \$225 | \$450 |
| Healthcare Associated Infection Data | 2007 | \$120 | \$240 | \$54 | \$108 | \$50 | \$100 | \$180 | \$360 |
| Care Transition Measure Data | 2008 | \$120 | \$240 | \$54 | \$108 | \$50 | \$100 | \$180 | \$360 |

- E. Financial Data Sets. The price schedule and data availability for data sets derived from data submitted by all Maine-licensed hospitals are as follows:

| Data Set | First Year Available | Entity Requesting Data | | | | | | | |
|--------------------------------|----------------------|------------------------|----------|----------|----------|------------------------|----------|---------------|----------|
| | | Commercial | | Assessed | | Non-Profit/Educational | | Redistributor | |
| | | | Per Year | | Per Year | | Per Year | | Per Year |
| Hospital Standardized Template | 2004-2005 | | \$1950 | | \$877 | | \$819 | | \$6435 |

- F. Price Limitations. An entity receiving any of the listed clinical data sets shall be charged the appropriate price for the data set requested. If the same entity submits an amended or new request utilizing a data set identical to a data set previously provided the entity by the MHDO within a twelve month period of time, the requesting entity shall not be required to repurchase the data set.

4. Requests for Other Data Files, Reports, or Tables.

Data files, reports, or tables not listed under section 3 shall be generated at a cost of \$80 / hour, with a one hour minimum charge applied. Those entities requesting the data or information shall be provided a written estimate of the total cost prior to the request being fulfilled by the MHDO staff.

5. Duplication Rates.

The price for copying or duplicating existing hard copy material is \$0.15 per page.

6. Payments.

Payments are due in full from the requesting party within thirty days of receipt of MHDO data sets, files, reports, or tables. If, after thirty days have elapsed, the MHDO does not receive full payment from the requesting party, the provisions of 22 M.R.S.A. Section 8705-A and the Maine Health Data Organization Enforcement Rule (90-590 C.M.R. Chapter 100) shall be invoked.

7. Waiver Provisions.

The Maine Health Data Organization Board may reduce or waive the fees established in sections 3 and 4 in the event it determines that the entity requesting data has demonstrated either or both of the following:

A. Inability to pay. An inability to pay for data due to extenuating circumstances; or

B. Information/analysis publicly accessible. The requested data are to be used to improve the health of Maine residents and the resulting information, reports, and/or analytical products are to be in the public domain without charge and can be easily accessed within the time frame approved by the Maine Health Data Organization Board.

STATUTORY AUTHORITY: 22 MRSA, Chapter 1683, §8704, sub-§4, and §8706, sub-§2(A) and 2(B)

EFFECTIVE DATE: September 11, 1997

AMENDED: May 2, 2004
February 28, 2006
October 9, 2006
May 28, 2008
October 3, 2010