2020 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 52

BY REPRESENTATIVE ECHOLS

HEALTH CARE/RECORDS: Requests a report on actions by the La. Dept. of Health and Medicaid managed care organizations to comply with federal rules on interoperability of health records and patient access to health information

1	A CONCURRENT RESOLUTION
2	To urge and request the Louisiana Department of Health and the Medicaid managed care
3	organizations with which it contracts to plan for actions that are necessary for their
4	compliance with newly issued federal rules on interoperability of health records and
5	access by patients to their health data and to request that the department report on
6	these plans to the legislative committees on health and welfare.
7	WHEREAS, in March of 2019, the Centers for Medicare and Medicaid Services of
8	the U.S. Department of Health and Human Services, referred to hereafter in this Resolution
9	as "CMS", began the promulgation of an administrative rule known as the "CMS
10	Interoperability and Patient Access Proposed Rule" (84 Fed. Reg. 7610 (March 4, 2019));
11	and
12	WHEREAS, this proposed rule outlined policies that, according to CMS, are
13	intended to move the healthcare system in the direction of interoperability and to signal the
14	federal health agency's commitment to the vision set forth in the 21st Century Cures Act
15	(Public Law 114-255) and Executive Order 13813 for improving quality and accessibility
16	of information that Americans need to make informed decisions concerning their health care;
17	and
18	WHEREAS, now finalized as the Interoperability and Patient Access Final Rule (85
19	Fed. Reg. 25510 (May 1, 2020)), this set of federal regulations focuses on driving
20	interoperability and patient access to health information by liberating patient data through

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CMS's authority to regulate Medicare Advantage, Medicaid, the Children's Health Insurance
 Program, and issuers of qualified health plans on the federally facilitated health insurance

3 exchanges; and

WHEREAS, the Interoperability and Patient Access Final Rule will provide for better
access by patients to their own health information while improving processes for maintaining
the privacy and security of that information; and

WHEREAS, the final rule also features standards for application programming
interfaces to support provider directories and patient access to claims, encounter data, and
clinical information; requirements for payer-to-payer data exchanges; and provisions for
public reporting of providers who do not list or update their digital contact information in
the National Plan and Provider Enumeration System; and

WHEREAS, successful compliance with this rule by the Louisiana Department of Health, along with the Medicaid managed care organizations with which the department contracts, will be a landmark achievement in patient access to health information that will provide substantial, long-awaited benefits to healthcare consumers throughout our state.

16 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby 17 urge and request the Louisiana Department of Health and the Medicaid managed care 18 organizations with which it contracts to plan for actions that are necessary for their 19 compliance with the Interoperability and Patient Access Final Rule.

BE IT FURTHER RESOLVED that on or before October 1, 2020, the Louisiana Department of Health shall submit to the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, and the David R. Poynter Legislative Research Library a report addressing the actions it has taken, or will take, to ensure both its own compliance with the Interoperability and Patient Access Final Rule and compliance with that rule by the Medicaid managed care organizations of this state.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
secretary of the Louisiana Department of Health and the executive director of the Louisiana
Medicaid Managed Care Organization Association.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Requests the La. Department of Health and the Medicaid managed care organizations with which it contracts to plan for actions necessary for compliance with newly issued federal rules on interoperability of health records and access by patients to their health data.

Requests that the department report on these plans to the legislative committees on health and welfare on or before Oct. 1, 2020.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Health and Welfare</u> to the <u>original</u> bill:

1. Make a technical change.