

2020 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 52

BY REPRESENTATIVE ECHOLS

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Health and the Medicaid managed care organizations with which it contracts to plan for actions that are necessary for their compliance with newly issued federal rules on interoperability of health records and access by patients to their health data and to request that the department report on these plans to the legislative committees on health and welfare.

WHEREAS, in March of 2019, the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services, referred to hereafter in this Resolution as "CMS", began the promulgation of an administrative rule known as the "CMS Interoperability and Patient Access Proposed Rule" (84 Fed. Reg. 7610 (March 4, 2019)); and

WHEREAS, this proposed rule outlined policies that, according to CMS, are intended to move the healthcare system in the direction of interoperability and to signal the federal health agency's commitment to the vision set forth in the 21st Century Cures Act (Public Law 114-255) and Executive Order 13813 for improving quality and accessibility of information that Americans need to make informed decisions concerning their health care; and

WHEREAS, now finalized as the Interoperability and Patient Access Final Rule (85 Fed. Reg. 25510 (May 1, 2020)), this set of federal regulations focuses on driving interoperability and patient access to health information by liberating patient data through 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 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.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana Department of Health and the Medicaid managed care organizations with which it contracts to plan for actions that are necessary for their 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.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE