MINUTES LOG
HJR 20 Subcommittee
February 16, 2018
Room 137, Capitol Building
Helena, Montana

Please note: This document is a Minutes Log and provides a notation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video record of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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Please contact the Legislative Services Division at 406-444-3064 for more information.

SUBCOMMITTEE MEMBERS PRESENT
REP. KATHY KELKER
SEN. ALBERT OLSZEWSKI
SEN. ED BUTTREY
SEN. TOM FACEY

CHERIE TAYLOR, Northern Rockies Medical Center
CONNIE PREWITT, Billings Clinic
MARILYN BARTLETT, Department of Administration
KRIS HANSEN, State Auditor's Office
JEN HENSLEY, PacificSource Health Plans
JOHN G. HILL, Bozeman Health
BOB OLSEN, Montana Hospital Association
OLIVIA RIUTTA, Montana Primary Care Association *(by phone)*

SUBCOMMITTEE MEMBERS EXCUSED
SARAH SWANSON PARTRIDGE, Farm Equipment Sales, Inc.
DR. ROMAN HENDRICKSON, Ruby Valley Medical Clinic
KEVIN LARSON, Employee Benefit Management Services, Inc.

STAFF PRESENT
SUE O'CONNELL, Lead Staff
FONG HOM, Secretary

VISITORS' LIST (Attachment 1)

AGENDA (Attachment 2)

COMMITTEE ACTIONS
The subcommittee continued its work on transparency in health care pricing by reviewing materials and hearing presentations on:
- what consumers are looking for when it comes to transparency in health care pricing;
- best practices for transparency tools; and
- the medical billing process.

The Montana Hospital Association also provided a demonstration of the transparency website it offers to Montana consumers, while Blue Cross Blue Shield of Montana demonstrated the transparency tool that its insured members can use.

CALL TO ORDER AND ROLL CALL
00:00:04   Rep. Kelker called the meeting to order at 8:33 a.m. The secretary called roll. Kevin Larson, Sarah Swanson Partridge, and Dr. Roman Hendrickson were absent. **(Attachment 3)**

TOPIC TERMINOLOGY - Rep. Kelker and Sue O'Connell, Research Analyst
00:02:41   Ms. O'Connell **(Exhibit 1)**

Subcommittee Discussion
00:03:29   Cherie Taylor commented on the definition of Ambulatory Care.
00:04:58   Ms. Taylor commented on the definition of Patient Satisfaction Surveys.
00:05:48   Rep. Kelker referred the subcommittee to the definition on page 2 for the Health Care Eligibility and Benefits Inquiry.
00:07:58   Connie Prewitt commented on using the Health Care Eligibility and Benefits Inquiry app at the Billings Clinic.
00:08:54   Sen. Olszewski commented on his hesitancy to use the app in small businesses.
00:09:49   Rep. Kelker discussed the definition of Surprise Medical Bills.

DISCUSSION OF PRE-MEETING READING MATERIALS - Josh Poulette, Fiscal Analyst, Legislative Fiscal Division *(by phone)*
00:11:49   Mr. Poulette discussed the article "Best Practices to Maximize Consumer Use". **(Exhibit 2)**

Subcommittee Discussion
00:18:15   Bob Olsen urged the subcommittee members to visit the Hospital Compare website.
00:21:33   John Hill commented on the Hospital Compare data.
00:23:13   Sen. Facey asked about the types of services offered at rural hospitals compared with the types of services offered at larger hospitals.
00:24:09   Ms. Taylor said rural hospitals do not have specialty services that larger hospitals offer.
00:25:39   Mr. Hill commented on the relationship that Bozeman Health has with rural communities.

00:29:48	Mr. Olsen commented on the Emergency Medical Treatment and Active Labor Act (EMTALA) that prohibits hospitals from questioning some patients about their insurance coverage.
00:45:45	Marilyn Bartlett commented on the Employee Retirement Income Security Act of 1974 (ERISA). **(Document distributed after the presentation, Exhibit 3)**. Rep.
00:49:00	Kelker discussed the Med Insight Waste Calculator.

STANDARDS FOR EVALUATING TRANSPARENCY TOOLS

00:51:23	Rep. Kelker **(Exhibit 4)**
01:00:38	Sen. Facey expressed his concerns about developing a transparency website.

PANEL DISCUSSION: CONSUMER NEEDS IN PRICE TRANSPARENCY

Peg Hasner, Divisional Vice President of Medicaid Operations, Blue Cross Blue Shield
Gary Lusin, Physical Therapist, Bozeman
Barbara Schneeman, Vice President-Communications and Public Affairs, RiverStone Health, Billings
Stacey Anderson, Communications and Public Affairs Manager, Montana Primary Care Association
Ward VanWichen, CEO, Phillips County Hospital, Malta *(by phone)*

01:04:09	Peg Hasner
01:04:53	Stacey Anderson
01:05:18	Gary Lusin
01:06:41	Ward VanWichen
01:07:12	Barbara Schneeman *(by phone)*

Panel Questions and Discussion

01:07:53	Rep. Kelker asked the panelists what they think consumers want in pricing transparency. **(Exhibit 5)**
01:08:08	Ms. Schneeman
01:10:16	Mr. VanWichen
01:10:49	Ms. Hasner
01:11:44	Ms. Anderson
01:13:56	Mr. Lusin
01:17:35	Ms. Hensley discussed the panelists' comments.
01:19:40	Sen. Buttrey said that a discussion on accountability is needed.
01:21:38	Rep. Kelker asked if Montana should look at transparency tools that take a broader approach or are more specific to certain services.
01:22:25	Ms. Hasner
01:24:04	Ms. Schneeman
01:26:34	Ms. Schneeman **(Exhibit 6)**
01:29:05	Mr. VanWichen
01:30:02	Mr. Lusin
01:32:00	Ms. Anderson
01:34:14	Sen. Facey asked providers if they are currently using a transparency tool.
01:35:45	Ms. Taylor commented on using a simple transparency tool for consumers.
01:37:11	Sen. Olszewski said all parties involved in the health care system - providers,

	insurers, and consumers - need to be accountable and that a database needs to be available to all parties.
01:40:28	Mr. VanWichen commented on the difficulty of trying to account for patient differences and choices.
01:41:55	Sen. Buttrey commented on coming up with a system that contains a disclaimer about the cost information provided.
01:43:10	Rep. Kelker asked how the health care industry would respond to the needs of people with chronic illnesses regarding good choices and having information on what kinds of transparency tools are available.
01:44:03	Ms. Hasner
01:46:15	Ms. Schneeman
01:49:14	Rep. Kelker asked what patients need to know about the differences in hospital care and ambulatory care.
01:49:39	Mr. VanWichen
01:51:08	Ms. Anderson
01:53:19	Rep. Kelker asked about surprise bills that consumers get for medical care.
01:53:40	Mr. Lusin
01:55:44	Mr. VanWichen
01:57:45	Mr. Hill commented that hospitals will have contractual relationships with specialty providers to ensure that they participate in the hospital's insurance network.
01:58:48	Sen. Olszewski said providers are not always involved in network decisions and that surprise bills will occur as long as charges for a procedure are not bundled.
01:59:33	Sen. Buttrey commented on surprise bills.
02:01:08	Mr. Olsen said that Montana does not have a strong network adequacy statute.
02:03:42	Mr. VanWichen commented on network adequacy.

BREAK (reconvened at 10:51 a.m.)

SUBCOMMITTEE QUESTIONS OF PANEL MEMBERS

02:18:56	Mr. Olsen asked about the policies that organizations have for providing price information to patients.
02:19:38	Ms. Anderson
02:20:14	Ms. Schneeman
02:20:29	Mr. VanWichen
02:21:09	Mr. Lusin
02:22:36	Ms. Hasner
02:23:09	Rep. Kelker asked how the panelists feel about "punishing" people who haven't been diligent about their own health care.
02:24:13	Mr. Lusin
02:26:03	Mr. VanWichen
02:27:17	Ms. Anderson
02:28:51	Ms. Schneeman commented on the 15-minute doctor visit and compliance with a treatment program. She referenced a resource from the Centers for Disease Control and Prevention called the 6/18 Initiative. **(Material distributed after the presentation, Exhibit 7)**
02:30:43	Ms. Hensley commented on models that are changing behaviors on the consumer side.

02:32:17	Sen. Olszewski commented on high-risk athletic activities that can lead to high health care needs.
02:34:05	Mr. Hill commented on incentives and consequences.
02:35:37	Ms. O'Connell distributed handouts from Gary Lusin regarding the Health Care Pricing Transparency Public Forum held in Bozeman. **(Exhibit 8)** and **(Exhibit 9)**

PUBLIC COMMENT
| 02:36:40 | Pam Refling, Bozeman **(Exhibit 10)** |
| 02:45:29 | Steve Cape, Montana Coalition for Safety and Justice **(Exhibit 11)** |

MONTANA HEALTH INFORMATION EXCHANGE
Carol Jones, Director of Financial IT, Billings Clinic
Dr. Jonathan Griffin, President-Elect, Montana Medical Association

| 02:56:34 | Ms. Jones gave a presentation on the Health Information Exchange (HIE) pilot project in Billings. **(Exhibit 12)** |
| 03:10:47 | Dr. Griffin discussed the statewide health information exchange effort. **(Exhibit 13)** |

Subcommittee Questions
| 03:34:29 | Ms. Bartlett asked Dr. Griffin about the costs of developing the pilot in Billings. She also asked about potential costs for the feasibility study of a statewide effort and potential implications of connecting the State of Montana claims database to the Montana Health Information Exchange. |
| 03:37:02 | Mr. Hill asked about the purpose of an HIE and how the general public can use it in a transparency conversation. |

LUNCH (reconvened at 1:02 p.m.)

| 04:29:04 | Rep. Kelker reconvened the meeting and gave opening remarks regarding the next presentation. |

DEMONSTRATION OF PRICE TRANSPARENCY WEBSITES
Montana Hospital Association Site - Roberta Yager, MHA Director of Information Services, and Terri McCoy
Blue Cross Blue Shield Transparency Tool - John Doran, Divisional Vice President of External Affairs/Chief of Staff, BCBS Montana

| 04:30:19 | Ms. Yager **(Exhibit 14)** and **(Exhibit 15)** |
| 04:41:00 | Terri McCoy **(Exhibit 15)** |

Subcommittee Questions
04:45:51	Sen. Buttrey asked about the 2017 data that is not on the website.
04:47:44	Ms. Hensley asked about integrating quality data into the price transparency website.
04:50:56	Rep. Kelker commented on other organizations that also collect quality data.
04:52:30	Ms. Prewitt asked if Ms. Yager knows who is accessing the Hospital Association

	information.
04:53:52	Sen. Buttrey commented on the transparency website for state employees.
04:54:38	Ms. Bartlett commented on the acceptance of the state website.
05:00:02	Mr. Doran demonstrated how the Blue Cross Blue Shield Transparency Tool works.

Subcommittee Questions

05:22:34	Mr. Hill asked if Blue Cross is allowing consumers to rate providers.
05:23:18	Sen. Buttrey asked what is included in the estimated cost shown in the Blue Cross transparency tool.
05:24:29	Mr. Olsen discussed how some hospital rating systems don't have good data on rural hospitals.
05:26:40	Ms. Bartlett asked if the representative from Allegiance could comment.
05:27:00	Kim Brown, Alligance, commented on reporting quality metrics.
05:28:24	Mr. Olsen commented on the challenges that the health care industry has on quality reporting.
05:30:41	Kris Hansen commented on the use of the Blue Cross Blue Shield's pricing transparency website.
05:37:25	Rep. Kelker commented on people making better choices if they have the support of a care coordinator or an individual health insurance agent who is not a provider of health care.
05:38:24	Ms. Taylor commented on the need of a care coordinator to help the consumer choose the right health care provider.
05:45:17	*(by phone)* Ms. Riutta commented on the efficacy of transparency tools in reducing costs.

BREAK (reconvened at 2:32 p.m.)

05:59:26	Rep. Kelker referred the subcommittee to the document "The Medical Billing Process and the Use of Coding" in preparation for the next presentation. **(Exhibit 16)**

MEDICAL BILLINGS - Clay Fosjord, Director of Patient Financial Services, Billings Clinic

06:00:43	Mr. Fosjord **(Exhibit 17)**

Subcommittee Questions

06:26:00	Sen. Buttrey asked if Billings Clinic charges for the costs of administering the claims.
06:26:33	Ms. Hensley explained the billing process for PacificSource.
06:29:20	Mr. Olsen commented on the billing process.
06:34:04	Ms. Prewitt commented on the billing process.

SUBCOMMITTEE DISCUSSION: KEY POINTS TO SHARE WITH INTERIM COMMITTEE

06:39:23	Sen. Facey asked that the subcommittee work off of the green sheet, Exhibit 4.
06:40:06	Sen. Buttrey commented on Mr. Olsen's idea of a credentialing statute.
06:41:40	Mr. Olsen commented on economic credentialing.
06:46:36	Ms. Taylor commented on consumer needs and guidance.

| 06:49:02 | Ms. Bartlett discussed the Health Care Blue Book used by the state employee plan. |
| 06:52:46 | *(by phone)* Sarah Swanson Partridge asked Mr. Doran about expanding transparency tools to include travel costs for care. She said those costs need to be included when comparing costs for people who would have to travel to receive services at a lower-cost facility. |

Health Information Exchange Discussion

06:55:42	Sen. Facey asked about forming health information exchanges.
06:56:25	Mr. Hill commented on the great job that the health information exchanges are doing.
06:56:49	Sen. Facey asked about the relationship between the health information exchanges and the concept of shifting from a fee-for-service to a fee-for-value payment model.
06:57:15	Mr. Hill discussed value-based care models.

Medical Billing Discussion

07:00:50	Mr. Hill commented on the pricing transparency websites.
07:01:41	Sen. Olszewski said uniform billing and preauthorization rules are needed to simplify matters for providers and insurers.
07:02:43	Ms. Taylor said consumers will still need someone to help them use a transparency tool.
07:03:32	Ms. Hensley commented on the need to discuss any proposed uniform rules for preauthorization.

PUBLIC COMMENT

| 07:05:51 | Gary Lusin commented on the price transparency websites. |
| 07:07:57 | Pam Refling commented on the discussion on medical billing. |

PREVIEW OF NEXT MEETING

07:09:45	Rep. Kelker discussed the agenda for the March meeting.
07:13:09	Sen. Facey encouraged Rep. Kelker and staff to bring ideas with policy options for discussion and to allow stakeholders to participate in the discussion.
07:15:09	Rep. Kelker encouraged the subcommittee members to look at Senate Bill 65 from the 2017 Colorado legislative Session. **(Exhibit 18)**

ADJOURNMENT

| 07:17:41 | Rep. Kelker adjourned the meeting at 3:50 p.m. |

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