

BEFORE THE COMMISSIONER OF SECURITIES AND INSURANCE
MONTANA STATE AUDITOR

In the matter of the adoption of NEW) AMENDED NOTICE OF PUBLIC
RULE I pertaining to Patient-) HEARING ON PROPOSED
Centered Medical Homes) ADOPTION

TO: All Concerned Persons

1. On _____ 2014, at 10:00 a.m., the Commissioner of Securities and Insurance, Montana State Auditor, will hold a public hearing in the 2nd floor conference room, at the Office of the Commissioner of Securities and Insurance, Montana State Auditor (CSI), 840 Helena Ave., Helena, Montana, to consider the proposed adoption of the above-stated rules.

2. The CSI will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing, or need an alternative accessible format of this notice. If you require an accommodation, contact the CSI no later than 5:00 p.m., June 5, 2014, to advise us of the nature of the accommodation that you need. Please contact Darla Sautter, CSI, 840 Helena Avenue, Helena, Montana, 59601; telephone (406) 444-2726; TDD (406) 444-3246; fax (406) 444-3499; or e-mail dsautter@mt.gov.

3. The New Rule as proposed to be adopted provides as follows:

NEW RULE I PATIENT-CENTERED MEDICAL HOME REPORTING—
SPECIFIC QUALITY MEASURES REQUIRED (1) A qualified or provisionally
qualified patient-centered medical home must report annually to the commissioner
on its performance related to certain standards and health care quality measures, as
prescribed by the commissioner. A PCMH healthcare provider shall choose at least
(number?) of the followingThe quality measures to reported must include the
following to the commissioner:

- (a) control of blood pressure among adults with diagnosed hypertension;
- (b) screening for tobacco use and counseling and/or referral for tobacco cessation services for adults;
- (c) age-appropriate immunization for children; and
- (d) control of A1C levels in adults with diagnosed diabetes.

(3) If a PCMH healthcare provider has no patient data regarding a particular standard, they may indicate, "not applicable."

(2) Annually, tThe data on standards and quality measures specified in (1)(a) through (d) are due to the commissioner on June 30 for the previous calendar year. For the initial report, data must be submitted to the commissioner for the reporting period January 1, 2013, through December 31, 2013, by August 15, 2014.

(3) The commissioner shall provide detailed instructions on the agency web site for reporting by qualified and provisionally qualified patient-centered medical homes on the state-specific measures described in (1)(a) through (d) and other

measures and standards. Data reporting requirements must be aligned with PQRS, except for childhood immunizations.

(4) The report referenced in ARM 6.6.4906 is separate from the report required for these specific quality measures.

(5) The Commissioner may report to the public only aggregate information about quality measures.

(6) Payers that participate in the Montana PCMH program that require reporting on quality measures must include, but are not limited to, the measures specified in this rule. Those payers must also use the same data reporting requirements prescribed by the Commissioners.

AUTH: 33-40-104, MCA

IMP: 33-40-104, 33-40-105, MCA

4. STATEMENT OF REASONABLE NECESSITY: NEW RULE I is necessary to provide specific guidance to patient-centered medical homes regarding the "uniform set of health care quality and performance measures that include prevention services," as required by 33-40-105(2)(c), MCA. These rules also satisfy in part the Commissioner's duties to adopt rules on quality measures as required in 33-40-104(1)(a) and 33-40-105(2), MCA. In addition, these specific measures aid the Department of Public Health and Human Services with specific goals related to the improvement of public health in Montana.

5. Concerned persons may submit their data, views, or arguments concerning the proposed actions either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to Christina L. Goe, General Counsel, Office of the Commissioner of Securities and Insurance, Montana State Auditor, 840 Helena Ave., Helena, Montana, 59601; telephone (406) 444-2040; fax (406) 444-3499; or e-mail cgoe@mt.gov, and must be received no later than 5:00 p.m., June 20 2014.

6. Christina Goe, General Counsel, has been designated to preside over and conduct this hearing.

7. The CSI maintains a list of concerned persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Such written request may be mailed or delivered to Darla Sautter, Office of the Commissioner of Securities and Insurance, Montana State Auditor, 840 Helena Ave., Helena, Montana, 59601; telephone (406) 444-2726; fax (406) 444-3499; or e-mail dsautter@mt.gov, or may be made by completing a request form at any rules hearing held by the CSI.

8. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register>. The Secretary of State strives to make the electronic copy of the notice conform to the official version

of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods due to system maintenance or technical problems.

9. Pursuant to 2-4-302, MCA, the bill sponsor contact requirements apply. Christine Kaufmann is the bill sponsor, and she was contacted by e-mail on May 9, 2014.

10. The CSI has complied with the requirements of 2-4-111, MCA, and determined that NEW RULE I will not have a significant adverse impact on small businesses. The reporting requirement discussed in NEW RULE I already exists under 33-40-105, MCA. NEW RULE I clarifies the health care quality and performance measures that are subject to that requirement, and the timeline for reporting the data. Additionally, the affected parties already report the quality measures in NEW RULE I to other entities. Thus, NEW RULE I does not require the parties to collect and collate substantial amounts of additional information.

<u>/s/ Nick Mazanec</u>	<u>/s/ Jesse Laslovich</u>
Nick Mazanec	Jesse Laslovich
Rule Reviewer	Chief Legal Counsel

_____ Certified to the Secretary of State May 12, 2014.