

# New Federal Funding for State APCDs: Getting Ready to Win Your State's Grant

Spring 2021 Webinar Series  
March 3, 2021



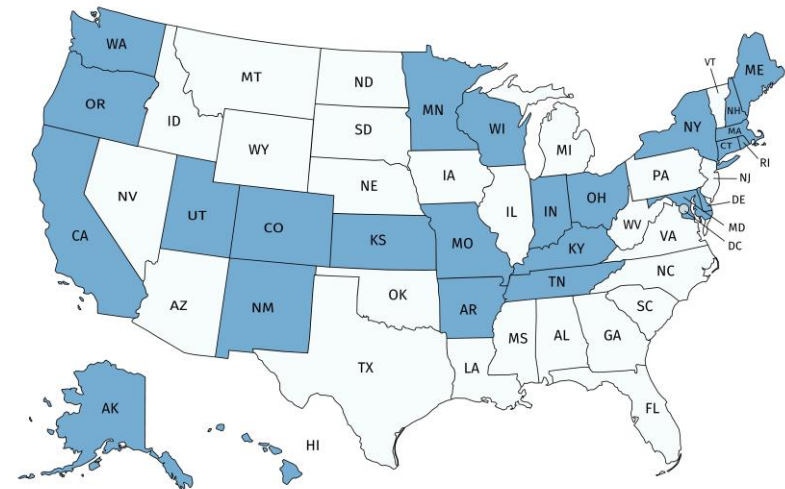
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# About Freedman HealthCare



- ▶ Founded in 2005
- ▶ Focus on state and nonprofit health data initiatives
- ▶ Experienced APCD managers and data analysts
- ▶ Full APCD lifecycle expertise: stakeholders, law, rules, RFPs, data quality, analytics, data access, sustainability, enhancements

We have hands-on APCD experience in 25 states



# FHC Team



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# National Association of Health Data Organizations (NAHDO)

NAHDO is a national non-profit membership and educational association dedicated to improving health care data collection and use.

NAHDO members include state and private health data organizations that maintain statewide health care databases and stakeholders of these databases.

The APCD Council is a program of NAHDO in partnership with the Institute for Health Policy and Practice (IHPP) at the University of New Hampshire (UNH).



# Today's Discussion

- ▶ Recap of CAA Section 115
- ▶ Required Grant Application Elements
- ▶ Program Requirements
- ▶ Readiness Checklist
- ▶ Learning Resources

*Today's focus: the law's requirements for APCD Grantees' Data Access Program and what states can do now to prepare.*

# CAA Section 115 APCD Grant Program



- ▶ Runs Federal Fiscal Years 2022-2024 (October 2021 – September 2024)
- ▶ Grant term: 3 years
- ▶ State submits the application
- ▶ Stated amount: \$2.5M per state
  - \$1M years in each of years 1 and 2
  - \$500K year 3
- ▶ Grant money may be used for:
  - Establishing an APCD
  - Improving an existing APCD

# Required Application Components

- ▶ Assumption: One application, one grant per state
  
- ▶ State must describe or commit to:
  - A “uniform collection process”
  - Robust data privacy and security provisions
  - A data access program
  
- ▶ Conditions for “priority” award consideration
  - Intention to work with other States to develop a common data request application
  - Intention to implement the standardized format for voluntary collection of ERISA data

# Data Access Program Provisions



# Data Access Requirements

- ▶ To be eligible for grants, State APCDs must have (or intend to have) a data access process
  
- ▶ Law offers guidance on:
  - Who must be allowed to request data
  - Purposes must be supported
  - The documentation to request access
  - Types of data products
  
- ▶ HHS Secretary can waive access requirements if APCD is “substantially in compliance.”

# Specified Requesters and Purposes



- ▶ Requesters
  - Researchers
  - Employers
  - Health Insurance Issuers and Third-Party Administrators
  - Health Care Providers
  
- ▶ Allowable uses
  - Evaluating Health System Performance
  - Quality Improvement
  - Cost Containment
  
- ▶ Users and users
  - Researchers → Evaluating Health System Performance
  - Employers, Insurers, TPA's, Providers → Quality Improvement and Cost Containment

# Data Access Program: Products



- ▶ The Act identifies the following required data products for authorized users
  - Data for Research Purposes
  - Customized Reports
  - Non-Customized Reports

# Data Requesters' Application Process

- ▶ The Act specifies documentation required before access is granted to eligible users:

## 1. Data Request Application, including:

- Description of Use, and
- If a Researcher
  - Description of Methodology
  - IRB approval, if applicable

## 2. Data Use and Confidentiality Agreement (for researchers only?)

- Prohibition on attempts to identify individuals
- Prohibition on disclosure of individually identifiable information
- Prohibition on disclosure of “proprietary financial information”\*

\* NOTE: The Act defines Proprietary Financial Information as data that would disclose the terms of a specific contract between an individual health care provider or facility and a specific health plan or health insurer

# Summary of Data Access Requirements



In Summary, the Act identifies the following Data Access Program Requirements

Authorized Users	Required Allowable Uses	Application Materials	Approved User Provides	Required Products
Researchers	Evaluating Health System Performance	Formal application with Methodology & IRB Approval	Data Use and Confidentiality Agreement	Data for Research Purposes (fees not specified)
Employers Insurers TPAs Providers	Quality Improvement Cost Containment	Document intended uses	State determines documentation necessary on privacy, security and financial information	Customized Reports (at cost)
Everyone Else	None noted	None noted	None noted	Non-Customized, Aggregate Reports (free)

# Assessing Readiness

# What Can Existing APCD States Do to Prepare?



Req?	Act Provision	Question	Yes	No
Yes	Grant Application	Am I able to describe my State's APCD data collection process and how we ensure data privacy and security?		
		Do I have an idea of how we would use \$2.5M over 3 years to improve the existing APCD program?		
	Data Access Program	Do my State's existing laws & regulations allow me share data with (at least) the following users? - Researchers, Employers, Insurers, TPA's, Providers		
		Do my State's existing laws & regulations allow me to share data for (at least) the following uses? - Evaluating Health System Performance, Quality Improvement, Cost Containment		
		Does my State have an APCD data request application that includes a description of data use, analytic methodology (if a researcher), and a requirement to provide an IRB approval if a researcher and applicable?		
		Does my State have a process to review and approve data request applications?		
		Does my State have an APCD DUA/Confidentiality Agreement for researchers that prohibits attempts to identify individuals or disclose PHI or proprietary financial information to others?		
		Does my State APCD produce aggregate data sets or reports that may be shared for free with authorized users?		
No	Priority Award Consideration	Is our APCD willing to use a common format for data request applications, in partnership with other States? (NOTE: This may require amending the existing data request application)		
		Is our APCD ready to use a new, standardized format for the collection of ERISA plan data that may be different from the format I use to collect all other APCD data?		

# What Can Newly-Authorized State APCDs Do to Prepare?



Req?	Act Provision	Question	Yes	No
Yes	Grant Application	Does my State have a plan for how to collect APCD data and ensure data privacy and security? (NOTE: this may include draft legislation or a plan to draft such legislation)		
	Data Access Program	Does my State have laws & regulations (or a plan to draft them) to allow the APCD to share data with the following users? - Researchers, Employers, Insurers, TPA's, Providers		
		Does my State have laws & regulations (or a plan to draft them) to allow the APCD to share data for (at least) the following uses? - Evaluating Health System Performance, Quality Improvement, Cost Containment		
		Will my State APCD produce aggregated data sets or reports and make them available for free?		
No	Priority Award Consideration	Am I willing to use a common format for data request applications, in partnership with other States?		
		Am I willing to use a new, standardized format for the collection of ERISA plan data that may be different from the format I use to collect all other APCD data?		



# What Can Voluntary APCDs & Interested Organizations Do to Prepare?



Area	Topic	Yes	No
Internal Assessment	Is running a APCD consistent with my organization's mission?		
	Is running a state APCD consistent with my organization's business plan?		
	Do we have sufficient staff and resources to lead the planning effort?		
	Who might be our competitors for this work?		
	Are we willing to tackle all the items on the "Newly-Authorized APCD" list (at some point)?		
Environmental Assessment	Are my stakeholders and partners in support of my organization becoming the state's APCD?		
	Am I in contact with my state's DOH, DOI, Medicaid and other state agencies to determine if they would endorse my organization as a possible home for the state's APCD		
	Do I have a vehicle - committee, workgroup etc. -- to convene state stakeholders and my organization's stakeholders in coming to agreement on the other aspects of the readiness checklist, grant application		
Impact on Strategic Direction and Sustainability	How would running the state APCD conflict or align with our current or planned projects (e.g., data use and reporting, health and care quality improvement initiatives, cost or transparency work)?		
	What level of state support will be needed to fully fund the APCD (without compromising existing priorities )?		
	What additional investment in data management resources is needed to meet anticipated needs?		
	Are there opportunities to "clamp on" to another, existing organization?		

# How Should I Prioritize My Preparations?

- ▶ Take advantage of the timeline
  - Funds become available October 1. Grant programs typically take some time to get started
  - Focus on the law's requirements for grants recipients:
    - Uniform Data Collection
    - Data Access Program
    - Data Protection
  - For existing APCDs, assess alignment with law's requirements
  - For new APCDs, build a plan that shows intent to meet the three requirements
  - For voluntary APCDs, evaluate your options and the tradeoffs of undertaking this activity

# Learn More: FHC Resources

- ▶ Continuing Complimentary Webinar Series: Getting Ready for Federal Grants – all at 1 PM ET

March 17	Data Access Programs
March 31	Data Product Types and Requirements
April 14	Protecting Individual Privacy and Reporting Financial Data
April 28	Elements of a “Common Data Request Application”
May 5	Regional/Voluntary APCDs
May 12	Learning Community: Progress and Updates

- ▶ Sign up at [https://us02web.zoom.us/webinar/register/WN\\_UXLQHkLfRAuQDgbl\\_SthoQ](https://us02web.zoom.us/webinar/register/WN_UXLQHkLfRAuQDgbl_SthoQ)

 Watch for our follow up email with slides and signup information