

## **New Proposal to Give Providers and Employers Access to Information to Drive Quality and Patient Care Improvement**

*MACRA provides expanded opportunity for the use of Medicare and private sector claims data to drive higher quality, lower cost care*

The Centers for Medicare & Medicaid Services (CMS) today proposed rules that will expand access to analyses and data that will help providers, employers, and others make more informed decisions about care delivery. The new rules, as required by the Medicare Access and CHIP Reauthorization Act (MACRA), will allow organizations approved as qualified entities to confidentially share or sell analyses of Medicare and private sector claims data to providers, employers, and other groups who can use the data to support improved care. In addition, qualified entities will be allowed to provide or sell claims data to providers. The rule also includes strict privacy and security requirements for all entities receiving Medicare analyses or data, as well as new annual reporting requirements.

This initiative is part of a broader effort by the Obama Administration to create a health care system that delivers better care, spends dollars more wisely, and results in healthier people.

“Increasing access to analyses and data that include Medicare data will make it easier for stakeholders throughout the healthcare system to make smarter and more informed healthcare decisions,” said CMS Acting Administrator Andy Slavitt.

The qualified entity program was authorized by Section 10332 of the Affordable Care Act and allows organizations that meet certain qualifications to access to patient-protected Medicare data to produce public reports. Qualified entities must combine the Medicare data with other claims data (e.g., private payer data) to produce quality reports that are representative of how providers and suppliers are performing across multiple payers, for example Medicare, Medicaid, or various commercial payers. Currently, 13 organizations have applied and received approval to be a qualified entity. Of these organizations, two have completed public reporting while the other 11 are preparing for public reporting.

Today’s rules seek to enhance the current qualified entity program to allow innovative use of Medicare data for non-public uses while ensuring the privacy and security of beneficiary information. Comments are welcome on this set of proposed rules. You can submit your comments until March 29, 2016 here: <http://www.regulations.gov>

The proposed rule is on display at the Office of the Federal Register at: <https://s3.amazonaws.com/public-inspection.federalregister.gov/2016-01790.pdf> and on 02/02/2016 and available online at <http://federalregister.gov/a/2016-01790>