

# Agenda III: Review of Statutory Requirements for the Hospital Equity Measures Program per AB 1204

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## VISION

“A healthier California where all receive equitable, affordable, and quality health care.”

## MISSION

HCAI expands equitable access to quality, affordable health care for all Californians through resilient facilities, actionable information, and the health workforce each community needs.

## VALUES

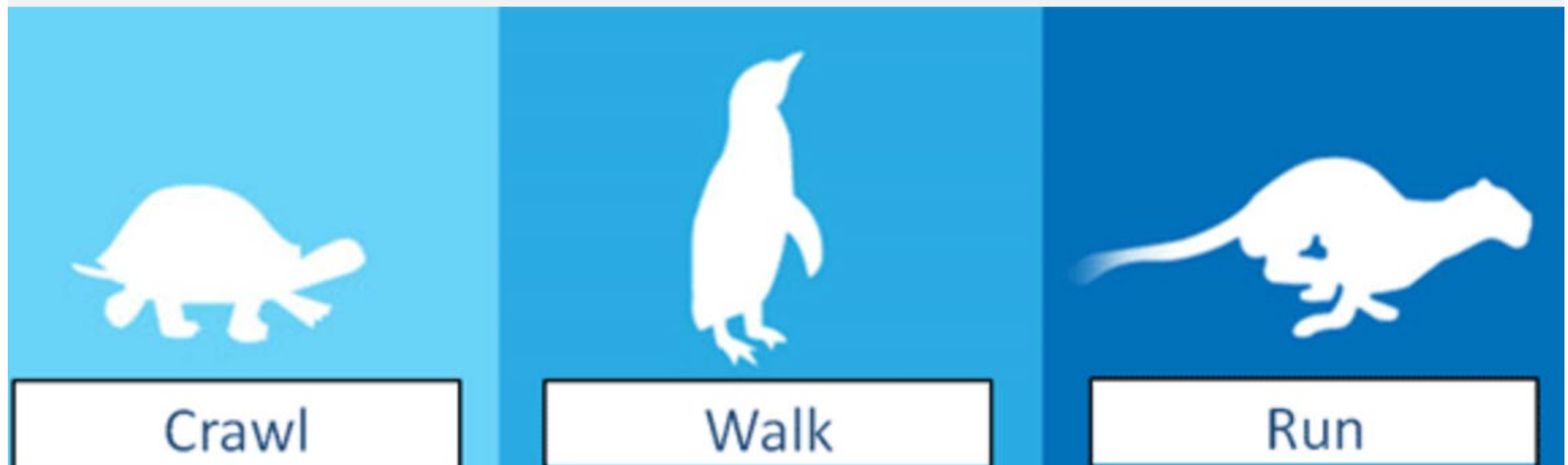
Service

Equity

Professionalism

Innovation

# Build Over Time



# Hospital Equity Measures Program AB 1204 Requirements Summary

<p>Scope of the Advisory Committee</p>	<ul style="list-style-type: none"><li>• Make recommendations to the HCAI Director on the appropriate measures that hospitals are required to report in their annual equity reports.</li><li>• Provide recommendations to the HCAI Director on the measurable objectives and specific timeframes in which disparities for vulnerable populations identified in the data need to be addressed.</li><li>• Advise HCAI Director in identifying the 10 widest disparities in health care quality for vulnerable populations, in terms of access or outcome and priority performance areas.</li><li>• After first year reporting make a second set of recommendations to the HCAI Director regarding the submitted hospitals' health equity plans. (Due September 30, 2027)</li></ul>
<p>Department of Health Care Access and Information (HCAI)</p>	<ul style="list-style-type: none"><li>• Convene and staff advisory committee</li><li>• Build out regulations that establish a reporting schedule and format for collection of reports including the measures that will need to be applied to the reports</li><li>• Establish a system to collect and annually post reports on the HCAI website</li><li>• Annually post a report that identifies hospitals that did not submit equity reports</li><li>• Provide technical assistance to hospitals in applying the measures as specified in the regulations</li></ul>
<p>Hospitals and hospital systems – Annual Equity Reports</p>	<ul style="list-style-type: none"><li>• Include data, if available, for each measure adopted by HCAI through regulations (based on Committee recommendations) stratified by age, sex, race, ethnicity, language, disability status, sexual orientation, gender identity and payor.</li><li>• Include plan to achieve disparity reduction for disparities identified in the data.</li><li>• Address the 10 widest disparities in health care quality for vulnerable populations in terms of access, or outcomes and performance across all the 6 priority areas.</li><li>• Include measurable objectives and specific timeframes in which disparities identified need to be addressed.</li></ul>

# Scope of the Committee

- Make recommendations to the HCAI Director on the appropriate measures that hospitals are required to report in their annual equity reports.
- Provide recommendations to the HCAI Director on the measurable objectives and specific timeframes in which disparities for vulnerable populations identified in the data need to be addressed.
- Advise HCAI Director in identifying the 10 widest disparities in health care quality for vulnerable populations, in terms of access or outcome and priority performance areas.
- After first year reporting make a second set of recommendations to the HCAI Director regarding the submitted hospitals' health equity plans. (Due September 30, 2027)

# Statutory Requirements: HCAI

- Convene and staff advisory committee
- Build out regulations that establish a reporting schedule and format for collection of reports including the measures that will need to be applied to the reports
- Establish a system to collect and annually post reports on the HCAI website
- Annually post a report that identifies hospitals that did not submit equity reports
- Provide technical assistance to hospitals in applying the measures as specified in the regulations

# Hospital Statutory Requirements: Annual Equity Reports – Health Equity Report with Plan

- Include data, if available, for each measure adopted by HCAI through regulations (based on Committee recommendations) stratified by age, sex, race, ethnicity, language, disability status, sexual orientation, gender identity and payor.
- Include plan to achieve disparity reduction for disparities identified in the data.
- Address the 10 widest disparities in health care quality for vulnerable populations in terms of access, or outcomes and performance across all the 6 priority areas.
- Include measurable objectives and specific timeframes in which disparities identified need to be addressed.
- Submit de-identified reports to HCAI per submission requirements outlined in regulations.

# Hospital Equity Measures 2023 Roadmap

## February 2023

Recap of 2022 meetings

Discussion on identification of disparities in the data and approaches for reduction

Data stratification discussion

*Topics of interest from the Committee*

## April 2023

Recap of February 2023 meeting

Discussion on report formats

Discussion of measures evaluation process

*Topics of interest from the Committee*

## August 2023

Recap of April 2023 meeting.

Regulations Workshopping - data collection, submission, and reporting.

*Topics of interest from the Committee*

## October 2023

Recap of August 2023 meeting

Discussion on technical assistance to hospitals

Preview plan for 2024

*Topics of interest from the Committee*

## December 2023 (if needed)

Recap of 2023 activities

Review and confirm plan for 2024

*Topics of interest from the Committee*

## January to December 2024

Establish regulations to specify reporting requirements

Outreach to hospitals to prepare for first annual submission

Continue meeting with Health Care Equity Measures Advisory Committee



# Administrative Procedure Act - Highlights

- Regulations must be adopted according to Administrative Procedure Act (APA) requirements
- Resources, guidance, information regarding best practices – no regulations required
- Requirement for hospitals that is not specifically stated in AB 1204 is going to fall within the definition of a regulation
- Regulations limited to HCAI's delegated authority - regulations must be consistent with the statute and not alter or amend the statute or enlarge or impair its scope
- Office of Administrative Law (OAL) approves HCAI regulations and will determine if proposed regulations are within HCAI's delegated authority

# Administrative Procedure Act - A Few Examples

## Within the Scope of HCAI's Delegated Authority

- Specific requirements (including data de-identification) to protect personal information of patients pursuant to state and federal privacy laws
- Report due dates
- How reports are received by HCAI
- Process for assessing fines, if any, for failure to submit an annual report

## Outside the Scope of HCAI's Delegated Authority

- Audits
- Receipt of record level data

# Administrative Procedure Act – Process Highlights

- Workshopping - information gathering for HCAI already underway through Committee discussions and HCAI will also engage in discussions with various stakeholders outside of the Committee process
- HCAI will draft regulations
- Notice and Public Comment Period
- Office of Administrative Law review

\*Throughout the process, HCAI may modify the draft regulatory language based on comments/feedback received.