Agenda Item VIII: Hospital Equity Measures Program Regulatory Process Preparation and Timeline

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Regulations Process

Asha Jennings, JD, Attorney, HCAI

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 - Regulations Process

Step 1	• Workshopping (Information Gathering)
Step 2	• Draft Proposed Regulations Package
Step 3	• Notice to Public Comment and Public Comment Period
Step 4	• Prepare Final Regulations Package
Step 5	• Office of Administrative Law Review and Approval
Step 6	• Regulations filed with the Secretary of State

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Hospital Equity Measures Reporting Program Regulations and Timeline

Christopher Krawczyk, PhD, Chief Analytics Officer, HCAI

Hospital Equity Measures Program AB 1204 Requirements Summary

Scope of the Advisory 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)
Department of Health Care Access and Information (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
Hospitals and hospital systems – Annual Equity Reports	• 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. • First Reports due September 30, 2025.

Build Over Time

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