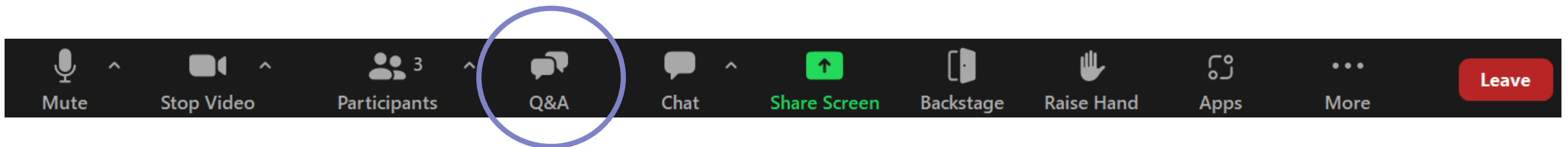# Health IT Policy: The Year Ahead

February 20, 2024

Webinar Logistics

- Today's session is being recorded.
  - All attendees and registrants will receive a link to the recording after the webinar.

- Your microphones will be muted during the webinar.

- Throughout the session, you may communicate a question via the panel at the bottom of your screen:

Agenda

- Introductions

- Political Landscape

- 2024 Priority and Moderating Topics

- Discussion

Speaker Introductions

Melissa Speck
Senior Director, Public Affairs, CAQH

Michael Phillips
Associate Director, CAQH CORE

2024 Political Landscape

Key 2024 Political Themes

2024 Election Cycle
Large shadow cast by potential administration change.

- Congressional Review Act (CRA) regulatory impact.
- Biden Administration use of administrative authority.
- Stability of agendas dependent on election results.

Congressional Stalemate
Continued divisiveness and loss of health acumen.

- Open seats result in health leadership vacuum.
- No mandate because of narrow majorities.
- Power dynamic shift in 2025 election year.

Opportunity for Bipartisanship
Unifying priorities to break through infighting.

- Priority topics ranging from: mental health, substance use disorders, veterans' health, cancer research, pandemic response, and healthcare affordability.
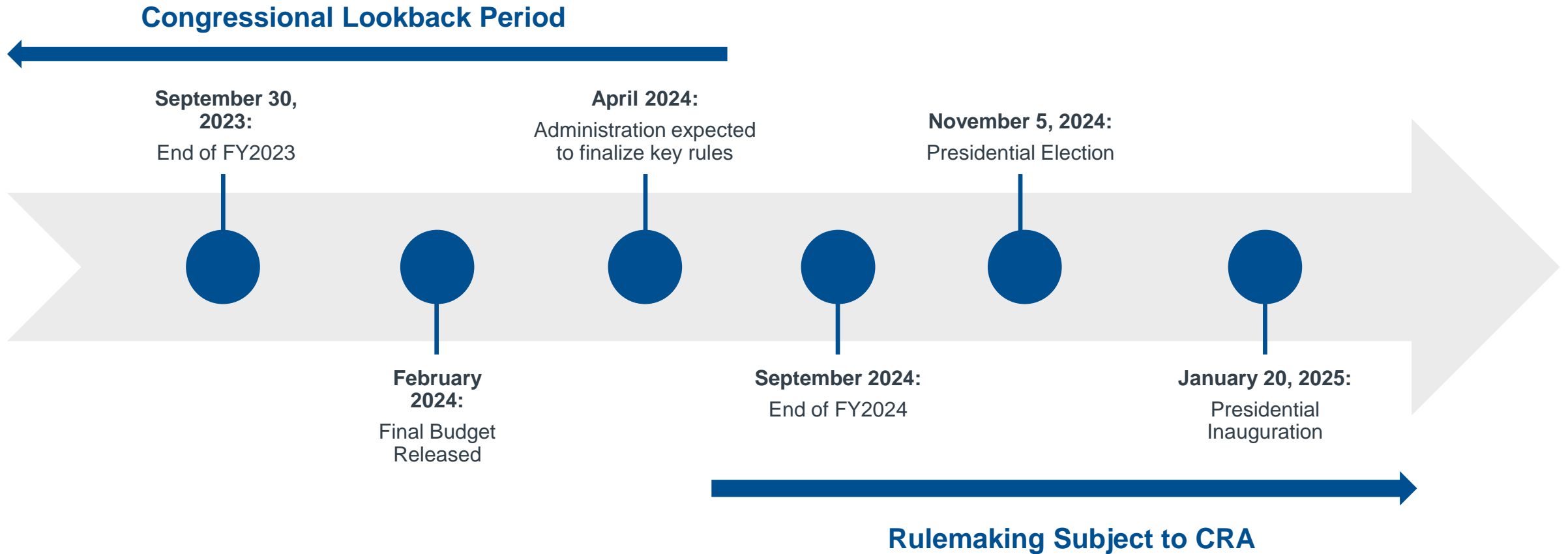- Potential de-prioritization of contentious topics.

State Election Impacts
State Executive and Legislative Branch Elections.

- Gubernatorial elections to shuffle priorities.
- 2024 elections lead to new legislatures in 2025.
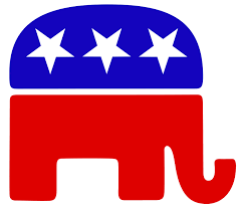- Prioritization from and adversarial to feds.

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Impact of Congressional Review Act
Federal Timeline 2024-2025

Congressional Lookback Period

September 30, 2023:
End of FY2023

April 2024:
Administration expected to finalize key rules

November 5, 2024:
Presidential Election

February 2024:
Final Budget Released

September 2024:
End of FY2024

January 20, 2025:
Presidential Inauguration

Rulemaking Subject to CRA

House and Senate Dynamics

House Balance of Power
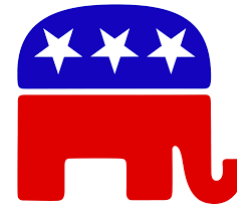
219 Occupied **213**

Vacancies: 3

Not Returning in 2025: ~40

Senate Balance of Power

49 Occupied **51***

Vacancies: 0

Not Returning in 2025: ~6

*Includes 3 Independents part of the democratic caucus.

Majorities **could** shift, neither party likely to achieve mandate. Loss of health acumen looms large.

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2024 Activities and Priorities

Near-and-Long-Term CORE Policy Targets

Interoperability and Prior Authorization

Final Rule Stage

January 19, 2024

Content: Establishes use of FHIR-based APIs for data exchange and prior authorization and provides stringency for response and decision timing.

Action: Coordination of CAQH and industry resources to catalogue **return on investment** and support **compliant, optimized implementation.**

No Surprises Act: IDR

Proposed Rule Stage

February 5, 2024 (CORE Response)

Content: Operationalizes aspects of the Independent Dispute Resolution process, requiring use of CARCs and RARCs to communicate provisions of the act.

Action: Requested coordination between CORE and the Tri-Departments and OPM when creating **code combination guidance.**

Health Data & Interoperability (HTI-2)

Proposed Rule Stage

2024

Content: Advancement of interoperability through standards and certification. Inclusive of requirements for prior authorization.

Action: Monitoring for release of proposed rulemaking for potential impacts to **CORE Operating Rules and advancement of prior authorization.**

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Near-and-Long-Term CORE Policy Targets

Adoption of CORE Operating Rules

Interim Final Rule

2024

Content: Updated and new operating rules for connectivity, eligibility and benefits, claim status and payment and remittance.

Action: Awaiting CMS issuance of IFR adopting the NCVHS-recommended set of operating rules. CORE has resources to **educate about contents and industry benefit.**

Attachments Standards

Final Rule Stage

2024

Content: Named X12 275 and HL7 C-CDA standards for the exchange of health care attachments for claims and prior authorization.

Action: Anticipated release of revised attachments final rule inclusive of named **standards and consideration of overlapping regulations** – such as Interoperability and Prior Authorization.

No Surprises Act: AEOB

Proposed Rule Stage

Long-term 2025

Content: Long-awaited requirements for the generation and content of Advanced Explanation of Benefits.

Action: Monitoring for release of proposed rulemaking. Anticipated to incorporate insights from a Fall 2022 request for information from the Tri-Departments and OPM.

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On-going Priorities and Moderating Factors

Statutory/Calendar-based Regulation

Annual rulemaking increasingly contains items relevant to equity, value-based care, and technology.

Advancement of Health Equity

Continued federal, state, and consensus-based organization action to standardize collection and exchange of SDOH.

Workforce Challenges

Health care staffing shortages are persisting and could be addressed through congressional actions.
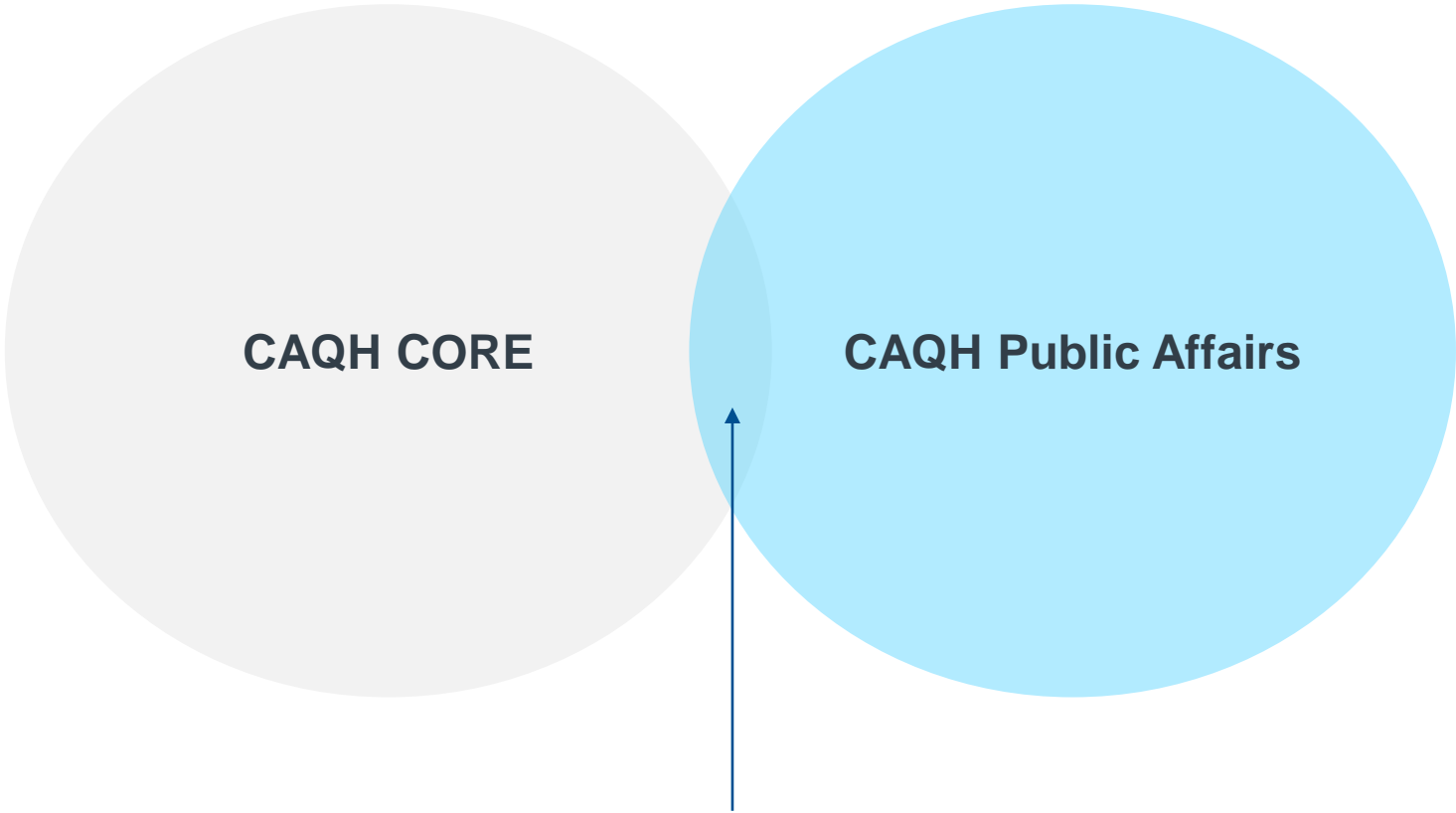
SCOTUS Rulings and Activity

SCOTUS reconsidering Chevron ruling that could influence the regulatory reach of federal agencies.

National and Geo-Political Influences

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Discussion

Thank You!

CAQH CORE

CAQH Public Affairs

Identification and engagement with topics that simplify healthcare and advance interoperability.