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Date: 10/4/2016 11:57:24 AM
Subject: NASHP News: Next Steps for APCD, 2-weeks until #NASHPconf16

Newsletter

October 4, 2016

NEXT STEPS FOR APCDs: US Department of Labor (DOL) Rulemaking

The *Gobeille v. Liberty Mutual Insurance Co. decision* dealt a blow to state APCDs by denying state all payer claims databases (APCD) the ability to require data submission from self-funded group health plans. Nationally about 63% of all workers with employer-based health insurance are in self-funded plans and that number is growing. The loss of this large data set limits APCDs' capacity to provide robust, all payer data on health care cost and quality. However, the Supreme Court's decision, particularly Justice Breyer's concurrence, suggested that the Department of Labor (DOL) may fix the loss of data to state APCDs by imposing a federal requirement that ERISA plans submit health care claims data.

On July 21 the DOL issued a Notice of Proposed Rulemaking requesting public comments on its proposed reporting requirements for group health plans, called Schedule J, and sought specific comments in light of the Gobeille decision. **The deadline to submit comments has been extended to December, 2016 .**

NASHP convened a workgroup shortly after the Gobeille decision to examine strategies to secure self funded data while complying with the Court's decision. In collaboration with the APCD Council and NAHDO, we have [responded](#) to DoL's proposed rules. [See the response here](#) .

Five Things to Watch from HHS's Latest ACA Proposed Regulations

Earlier this month, the U.S. Department of Health and Human Services released its latest omnibus rule proposing a series of changes impacting insurance markets and the health insurance marketplaces. Our [latest blog](#) and [accompanying memo](#) break down a few key concerns for states as they finalize their comments due on October 6, 2016.

Eligibility Levels for Coverage of Pregnant Women in Medicaid and CHIP

As a result of the Affordable Care Act (ACA) and the creation of health insurance exchanges, there are more coverage options for pregnant women in all states. NASHP has created a several resources to help explain the different eligibility criteria for multiple coverage options for pregnant women, including a [chart](#) that details income eligibility for each state's Medicaid and CHIP programs from 2013 – 2015 and [maps](#) that highlight the income eligibility ranges. NASHP also created [two infographics](#) that note enrollment steps for pregnant women with different income seeking coverage and raise policy implications for states.

Potential Options and Policy Questions for Improving Exchange Coverage for Children

If federal funding is not extended for the Children's Health Insurance Program (CHIP) beyond September 2017, some children may need to transition to exchange coverage. NASHP's [new brief](#) examines potential options and policy questions for improving exchange coverage for children in terms of both affordability and pediatric benefit adequacy. NASHP convened a group of stakeholders including state officials, health policy researchers and advocates to explore ways to maintain affordable and comprehensive children's coverage. The brief summarizes the key themes from the group's discussion and builds upon the policy options identified in [this previous NASHP brief](#). Attending #NASHPconf16? Be sure to check out our [newly announced session on CHIP](#).

[Read the full brief here](#).

The 29th Annual State Health Policy Conference is Less Than 2 Weeks Away!

Are you ready for Pittsburgh? [NASHP's Annual State Health Policy Conference](#) offers something for everyone, from distinguished [speakers](#) and [hot topics](#), to ample [networking](#) opportunities. Don't miss this opportunity to share with and learn from state health policy leaders from all 50 states and the District of Columbia.

Haven't registered yet? Don't worry there is still time.

Register Now!

A Healthy Competition that Helps the Community

Join Optum to create new arrival kits for the [Chartiers Center](#), a Pittsburgh-area IDD and behavioral health services center of excellence. The state that creates the most kits will win a \$1,000 donation to a behavioral health center in their state. The winning state will be announced at the Wednesday morning plenary session. Stop by the Brigade Meeting Room on Monday, October 17 from 6:00 p.m. -7:00 p.m. or Tuesday, October 18, from 7:30 a.m.–8:30 a.m to participate.

Open Position: Policy Analyst - Emerging Issues Team

The National Academy for State Health Policy is seeking a Policy Associate to join our Emerging Issues team. Work will focus on state health insurance and exchanges; prescription drug and other health care costs; as well as a wide array of issues that confront states. The Policy Associate is a mid-level position and applicants should have strong analytic and writing skills and ability to work closely with state officials and the NASHP team. Experience in state government, particularly working in a state based exchange, insurance department for legislative staff, is strongly preferred. This position may be located in either Portland, ME or Washington D.C.

[For more information or to see more health policy jobs](#)

National Academy for State Health Policy

The National Academy for State Health Policy (NASHP) is an independent academy of state health policymakers who are dedicated to helping states achieve excellence in health policy and practice. A non-profit and non-partisan organization, NASHP provides a forum for constructive work across branches and agencies of state government on critical health policy issues. For more information visit www.nashp.org.

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