

Steve Sisolak
Governor



Richard Whitley
Director

State of Nevada Department of Health and Human Services

Patient Protection Commission (PPC):
Introduction, Health Care Cost Growth
Benchmark and 2023 Bill Draft Requests

Malinda Southard, DC, CPM
PPC Executive Director



11/14/2022

Helping people. It's who we are and what we do.

Patient Protection Commission

Background:

- PPC initially created by SB 544 in **2019**.
 - Sponsored by the Governor and approved by Nevada State Legislature
 - Codified to NRS 439.902-918
- AB 348 in **2021**
 - Changed Commission's members
 - Added responsibilities and topics for review assigned to PPC
 - Moved PPC from Governor's Office to DHHS
 - Required PPC to adopt Bylaws
 - PPC is sole state agency responsible for managing Nevada's participation in the Peterson-Milbank Program for Sustainable Health Care Costs



Patient Protection Commission

(continued)

Commission Members

1. **Ms. Leann McAllister**, MBA Executive Director American Academy of Pediatrics
2. **Dr. Ikram Khan (Chair)**, President & Partner, Quality Care Consultants, LLC
3. **Mrs. Yarleny Roa-Dugan**, RN
4. **Ms. Lilnetra Grady**, APRN, FNP-C, Chief Medical Officer, FirstMed Health & Wellness Center
5. **Ms. Sara Cholhagian Ralston**, Patient Advocate
6. **Mr. William Mason Van Houweling**, CEO, University Medical Center
7. **Ms. Bobbette Bond**, Senior Director of Health Policy, Culinary Healthfund
8. **Dr. Tiffany Tyler-Garner**, PhD, Executive Director, Children's Advocacy Alliance
9. **Mr. Tyler Winkler**, Esq., Legal Aid Center of Southern Nevada
10. **Mrs. Sandra Ruybalid (Vice Chair)**, Deputy Administrator, Chief IT Manager, DHHS DHCFP
11. **Dr. Mark Decerbo**, Professor of Pharmacy Practice Roseman University of Health Sciences, College of Pharmacy, Clinical Associate Professor of Medicine University of Nevada, School of Medicine
12. **Mrs. Flo Kahn**, Deputy Vice President, State Advocacy at PhRMA Foundation



Patient Protection Commission

(continued 2)

Ex-Officio Members

1. Director of the Department of Health and Human Services
2. Commissioner of Insurance
3. Executive Director of the Silver State Health Exchange
4. Executive Officer of the Public Employees' Benefits Program





Patient Protection Commission

(continued 3)

Mission, Vision, Values

The PPC is designed to provide a forum for all stakeholders to come to the table and work together on the critical task of improving health care access and affordability in Nevada.

- Governor Steve Sisolak



Patient Protection Commission

(continued 4)



The PPC is charged with *systematically reviewing issues related to the health care needs of residents of Nevada and the quality, accessibility, and affordability of health care, including prescription drugs.*

-NRS 439.916(1)



- Most notably the review includes examining the **cost** of health care and the **primary factors impacting those costs.**



Peterson-Milbank Program for Sustainable Health Care Costs

- In March 2021, Nevada was selected to participate in this program.
- Selected states receive **technical assistance from Bailit Health** as they set and implement health care cost growth benchmarks.
 - First step toward making health care **more affordable and transparent**.
- To support this statewide effort, Governor Sisolak requested assistance of the PPC to provide recommendations to:
 - **Develop a statewide health care cost growth benchmark;**
 - **Calculate and analyze statewide health care cost growth; and**
 - **Analyze drivers of health care cost growth.**



Peterson-Milbank
Program for Sustainable
Health Care Costs





Health Care Cost Growth Benchmark

A health care cost growth benchmark is a per annum rate-of-growth benchmark for health care costs for a given state.

National statistics:

Average Per Capita Health Care Cost Growth, 2015-2019:¹ 4.1%	Average Per Capita GDP Growth, 2015-2019:² 3.5%	Average Hourly Wage Growth, 2015-2019:³ 2.6%
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SOURCES:

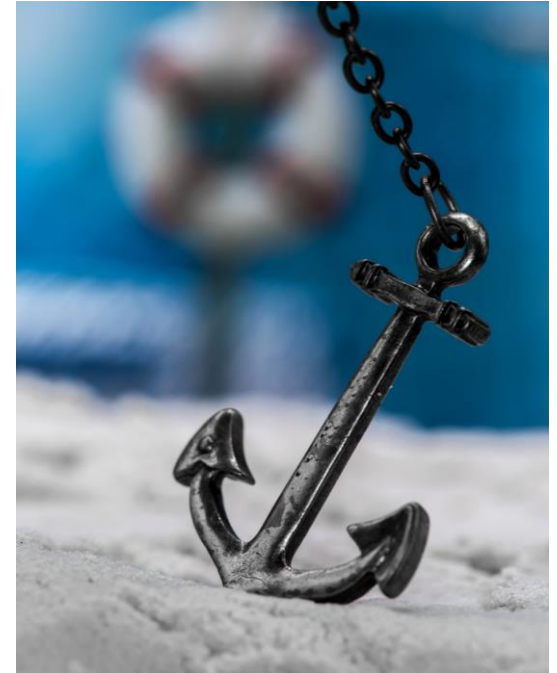
- 1) Centers for Medicare & Medicaid Services, [National Health Expenditure Accounts](#), accessed February 17, 2021.
- 2) U.S. Bureau of Economic Analysis, Gross Domestic Product [GDP], retrieved from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series/GDP>, February 16, 2021.
- 3) U.S. Bureau of Labor Statistics, Average Hourly Earnings of All Employees, Total Private [CES0500000003], retrieved from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series/CES0500000003>, February 16, 2021.



Health Care Cost Growth Benchmark

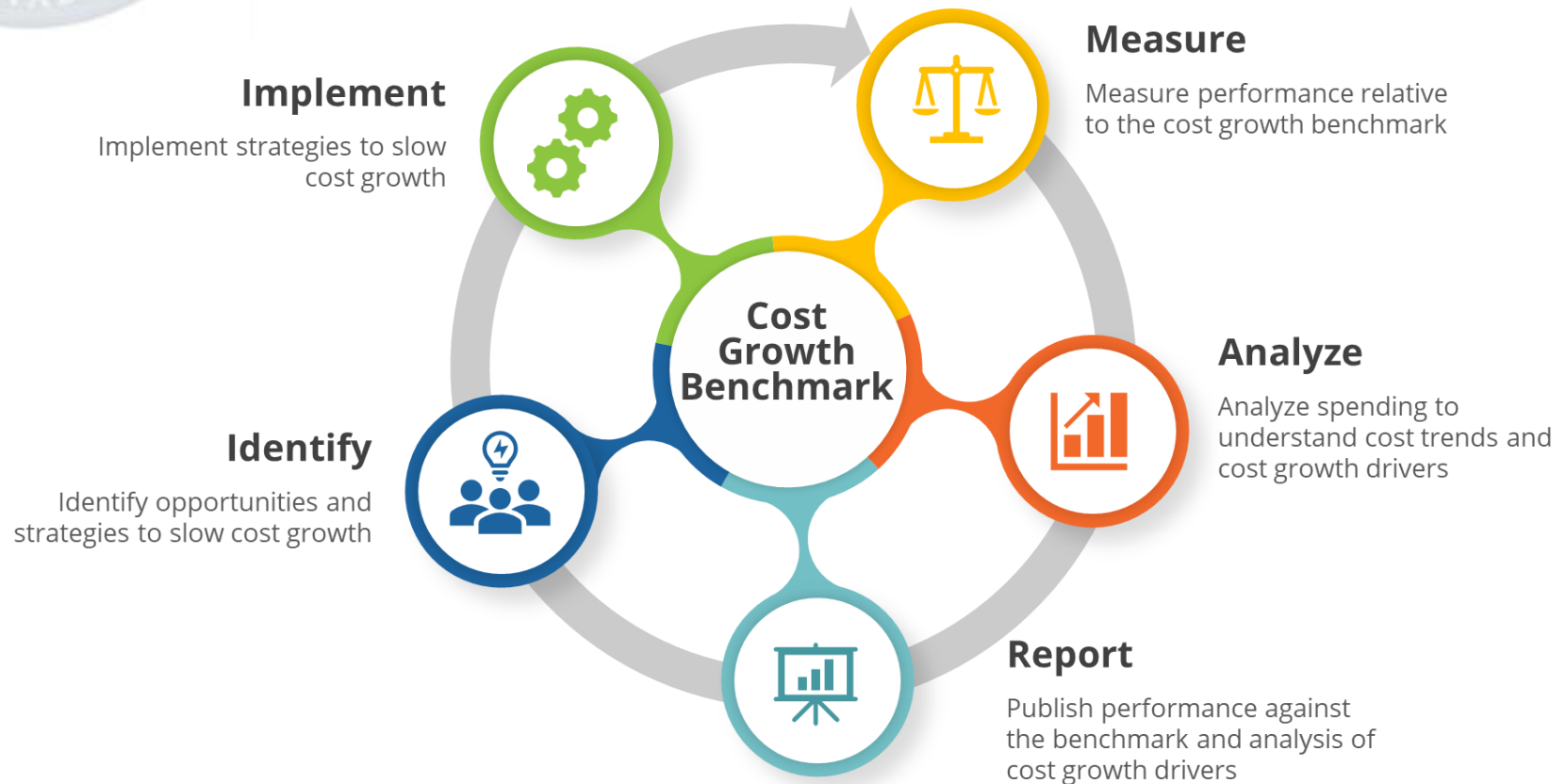
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- Setting a public benchmark for health care spending growth alone will not slow rate of growth.
- A cost growth benchmark serves as an **anchor**, establishing an expectation that can serve as the basis for **transparency** at the state, insurer and provider levels.
- To be effective, it must be **complimented by supporting strategies**.



Health Care Cost Growth Benchmark

(continued 2)



Health Care Cost Growth Benchmark

(continued 3)

- **December 2021**, Governor Sisolak issued Executive Order 2021-29: ***The Nevada Health Care Cost Growth Benchmark***.
 - Established the health care cost growth benchmark for 2022 through 2026.
 - Set a benchmark of 3.19% cost growth for year 2022 when compared to prior year's spend.
- Intent: **curb the climbing** health care costs for all residents of Nevada, regardless of payor and provider.



Health Care Cost Growth Benchmark

(continued 4)

- PPC requested analysis of State Medicaid and PEBP claims data for years 2016 through 2020.
 - Presented at monthly PPC meeting on 4/20/22.
- The cost growth benchmark program will assess health care cost growth for all Nevada residents with:
 - Commercial (insured and self-insured),
 - Medicaid and Medicare coverage, or
 - who receive care through the Veterans Health Administration and the state correctional system.
- Health care cost growth at the State level is measured using **Total Health Care Expenditures (THCE)**, which includes claims spending; non-claims-based spending; consumer cost sharing; and insurer administrative costs.





PPC 2023 BDRs Overview



PPC 2023 BDRs

Background

- NRS 218D.213 authorizes the PPC to request up to 3 BDRs which relate to the matters within the scope of the Commission.
- PPC discussing potential 2023 BDRs since March.
- Total of 16 topics initially submitted for discussion.
- 1 topic withdrawn.
- PPC narrowed down 15 proposed to a final 3.

PPC 2023 BDR 1

Codify the Nevada Health Care Cost Growth Benchmark Program as set forth in Executive Order 2021-29, and include a requirement to measure and report on primary care spending.

PPC 2023 BDR 2

Mandating that all providers of health care and custodians of healthcare records implement an interoperable electronic health care records system; Expand immunity for provider compliance with providing and receiving electronic medical records; Revision of NRS 439.584 with relation to Health Information Exchange (HIE) and other areas identified.

PPC 2023 BDR 3

Address the rising costs created by health care market consolidation by prohibiting hospitals and possibly some other facilities, such as freestanding Emergency Rooms, from hiring physicians. Revise the exemptions now in law to ensure only public hospitals and academic institutions are exempted.

Nevada Patient Protection Commission



Future Outlook:

- Organize the varying issues relating to health care the PPC is charged with reviewing and providing recommendations.
- Work with the PPC to prioritize 2-3 items each year for a systematic review and resulting recommendation.
- How can the PPC best collaborate with the RDAC now and forward?



Contact Information

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Acronyms

- BDR – Bill Draft Request
- PEBP – Public Employees Benefits Programs
- PPC – Patient Protection Commission
- THCE - Total Health Care Expenditures
- DHHS – Department of Health and Human Services
- DHCFP – Division of Health Care Financing and Policy
- GDP – Gross Domestic Product
- NRS – Nevada Revised Statutes