

ASSEMBLY, No. 1002

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

SYNOPSIS

Establishes Medicaid Enrollee Encounter Database as part of iPHD Project.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** establishing the Medicaid Enrollee Encounter Database
2 and supplementing Title 30 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. a. The Department of Human Services shall establish a
8 Medicaid Enrollee Encounter Database to ensure the transparency
9 of the provision of health care services to individuals who are
10 enrolled in the Medicaid program and receive services through the
11 fee-for-service program or through Medicaid managed care
12 organizations.

13 b. The Medicaid Enrollee Encounter Database shall contain the
14 enrollee encounter data for each service delivered to an individual
15 through the Medicaid program pursuant to P.L.1968, c.413
16 (C.30:4D-1 et seq.) or the NJ FamilyCare program pursuant to
17 P.L.2005, c.156 (C.30:4J-8 et al.).

18 c. The department shall coordinate with the Rutgers Center for
19 State Health Policy to develop and implement the Medicaid
20 Enrollee Encounter Database as part of the iPHD Project,
21 established pursuant to P.L.2015, c.193 (C.30:4D-65 et seq.).

22 d. The database shall contain enrollee encounter data that
23 indicates the date, type of service, units of service, provider
24 location, rate charged by the provider for the service, and
25 reimbursement received for the service. Claims-level data
26 indicating the date, type of service, units of service, and location of
27 provider shall be reported in datasets and in a map indicating where
28 the service was provided. Claims data indicating the reimbursement
29 received by the provider for the service shall be reported by service
30 by geographic district.

31 e. The Medicaid Enrollee Encounter Database shall be publicly
32 available on a State Internet website. Information included shall be
33 presented in a user-friendly database which allows researchers, as
34 well as the general public, to research, query, and view the enrollee
35 encounter data provided throughout the State.

36 f. As used in this section:

37 "De-identified data" means information that does not identify an
38 individual and for which there is no reasonable basis to believe that
39 the information can be used to identify an individual, and which
40 meets the requirements for de-identification of protected health
41 information under the "Health Insurance Portability and
42 Accountability Act of 1996," Pub.L.104-191, and any regulations
43 promulgated thereunder by the Secretary of the U.S. Department of
44 Health and Human Services.

45 "Enrollee encounter data" means the information concerning
46 services received by each Medicaid beneficiary reported by the
47 department to the Centers for Medicare and Medicaid Services on a
48 quarterly basis pursuant to 42 C.F.R. Parts 431, 433, 438, or any

1 subsequently adopted regulations promulgated with the intent of
 2 requiring states and their contracted entities to provide Medicaid
 3 enrollee data to the federal government. “Enrollee encounter data”
 4 also means the identical information on each service delivered to an
 5 individual who receives Medicaid services but is not enrolled in a
 6 Medicaid managed care organization, and the service is reimbursed
 7 by the State through the fee-for-service reimbursement system. The
 8 information shall be accessible to the public as de-identified data.

9 “Geographic district” means each of the following regional
 10 groupings of counties: Northeastern which shall include Bergen,
 11 Hudson and Passaic counties; Northwestern which shall include
 12 Hunterdon, Morris, Somerset, Sussex and Warren counties; Central
 13 which shall include Essex, Union, Middlesex, and Mercer counties;
 14 South Central which shall include Burlington, Camden, Monmouth
 15 and Ocean counties; and Southern which shall include Atlantic,
 16 Cape May, Cumberland, Gloucester, and Salem counties.

17
 18 2. Notwithstanding the provisions of P.L.2015, c.193
 19 (C.30:4D-65 et seq.), the iPHD Project Governing Board
 20 established pursuant to section 3 of P.L.2015, c.193 (C.30:4D-67)
 21 shall:

22 a. create and administer the Medicaid Enrollee Encounter
 23 Database established pursuant to section 1 of P.L. c. (C.)
 24 (pending before the Legislature as this bill);

25 b. receive, maintain, and transmit data for the Medicaid
 26 Enrollee Encounter Database; and

27 c. adopt and publish policies and procedures for the efficient
 28 and transparent operation of the Medicaid Enrollee Encounter
 29 Database. Data access policies and procedures for the database
 30 shall ensure that the information in the database is accessible to the
 31 general public in a user-friendly format on the Internet and the
 32 information shall be searchable as provided in section 1 of
 33 P.L. c. (C.) (pending before the Legislature as this bill).

34
 35 3. The Commissioner of Human Services, pursuant to the
 36 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
 37 seq.), shall adopt rules and regulations as the commissioner
 38 determines necessary to effectuate the purposes of this act.

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 40 4. This act shall take effect immediately.

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43 STATEMENT

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 45 This bill would establish a Medicaid Enrollee Encounter
 46 Database. The database will include de-identified information on
 47 each Medicaid enrollee encounter service provided in the State. The

1 information will include the date, type of service, units of service,
2 provider location, and reimbursement received for each service.

3 Newly adopted federal regulations require Medicaid managed
4 care organizations to provide much of this information to the State
5 on a quarterly basis, and the State is required to share the
6 information with the Centers for Medicare and Medicaid Services
7 (CMS). CMS will then make the information publicly available, but
8 in an aggregated manner.

9 This legislation is intended to require New Jersey to provide the
10 information in a more detailed manner to the general public and is
11 based on similar projects in other states that have begun to make
12 this information publicly available. The sharing of the information
13 leads to improved health outcomes and transparency on the
14 provision of publicly funded health care.

15 Notwithstanding current law, the iPHD Governing Board will be
16 responsible for: creating and administering the Medicaid Enrollee
17 Encounter Database; receiving, maintaining, and transmitting data
18 for the database; and adopting and publishing policies and
19 procedures for the efficient and transparent operation of the
20 database. Data access policies and procedures for the database are
21 required to ensure the information in the database is accessible to
22 the general public in a user-friendly format on the Internet.

23 The database will include de-identified claims-level data
24 indicating the date, type of service, units of service and location of
25 provider which will be reported in a database and as a map
26 indicating where the service was provided. Claims data indicating
27 the reimbursement received by the provider for the service will be
28 reported by service by geographic district.

29 The geographic districts are defined in the bill as regional
30 groupings of counties as follows: Northeastern, which will include
31 Bergen, Hudson and Passaic counties; Northwestern, which will
32 include Hunterdon, Morris, Somerset, Sussex and Warren counties;
33 Central, which will include Essex, Union, Middlesex, and Mercer
34 counties; South Central, which will include Burlington, Camden,
35 Monmouth and Ocean counties; and Southern, which will include
36 Atlantic, Cape May, Cumberland, Gloucester, and Salem counties.