



Community Living Initiative and Participation in Public Policy

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Office on Disability

Community Living Initiative

- Established in 2009 as part of President Obama’s “Year of Community Living.”
- HHS interagency initiative focused on implementing solutions that address barriers to community living for individuals with disabilities and older Americans
- Organized around a number of themes including: services and supports, housing, workforce, and quality.
- Included a communications group to facilitate internal and external communication for the CLI



Community Living Initiative Structure

- Led by the Office on Disability in partnership with the Administration on Aging and other agencies, including:
 - Administration on Developmental Disabilities at the Administration for Children and Families (ACF)
 - Centers for Medicare and Medicaid Services (CMS)
 - Health Resources and Services Administration (HRSA)
 - Substance Abuse and Mental Health Services Administration (SAMHSA)
 - Office of the Assistant Secretary for Planning and Evaluation (ASPE)
 - Office of Civil Rights (OCR)



Regulations Overview

- A regulation is a general statement issued by an agency, board, or commission that has the force and effect of law.
- Congress often grants agencies the authority to issue regulations.
- Many laws passed by Congress give Federal agencies some flexibility in deciding how best to implement those laws.
- Federal regulations specify the details and requirements necessary to implement and to enforce legislation enacted by Congress.



Regulations Overview (cont.)

- Federal regulations are created through a process known as "rulemaking," which is governed by the Administrative Procedure Act (APA) (5 U.S.C. Chapter 5).
- Once an agency decides that a regulatory action is necessary or appropriate, it develops and typically publishes a proposed rule in the Federal Register, soliciting comments from the public on the regulatory proposal.
- After the agency considers this public feedback and makes changes where appropriate, it then publishes a final rule in the Federal Register with a specific date upon which the rule becomes effective and enforceable.
- In issuing a final rule, the agency must describe and respond to the public comments it received.



Preparation of Proposed Rule

- **Rule making agencies may seek subject matter expertise in developing rules such as:**
 - **Listening sessions**
 - **Open door forums**
 - **Informal discussions**
 - **Meetings with stakeholders**
 - **Etc.**



Preparation Example: National Health Care Quality Strategic Plan

- Section 3011 of the Affordable Care Act
 - “The Secretary, through a transparent collaborative process, shall establish a national strategy to improve the delivery of health care services, patient health outcomes, and population health.”
- The Secretary of the Department of Health and Human Services is seeking public input in the development of a National Health Care Quality Strategic Plan



National Health Care Quality Strategic Plan

- How to get there:
 - <http://www.hhs.gov/>
 - Scroll down to:



- Click, and it takes you....



National Health Care Quality Strategy Plan

The screenshot shows a Windows Internet Explorer browser window displaying the U.S. Department of Health & Human Services website. The page title is "National Health Care Quality Strategy and Plan". The URL is "http://www.hhs.gov/news/reports/quality/nhcsap.html". The page features the HHS.gov logo and navigation menus. A sidebar on the left lists various newsroom categories. The main content area is titled "National Health Care Quality Strategy and Plan" and dated September 9, 2010. It contains a paragraph of introductory text, a feedback request, and five numbered questions for public input. The questions are:

- Question 1:** Are the proposed Principles for the National Strategy appropriate? What is missing or how could the principles be better guides for the Framework, Priorities and Goals?
- Question 2:** Is the proposed Framework for the National Strategy sound and easily understood? Does the Framework set the right initial direction for the National Health Care Quality Strategy and Plan? How can it be improved?
- Question 3:** Using the legislative criteria for establishing national priorities, what national priorities do you think should be addressed in the initial National Health Care Quality Strategy and Plan in each of the following areas. Better Care: Person-centered care that works for patients and providers. Better care should expressly address the quality, safety, access, and reliability of how care is delivered and how patients rate their experience in receiving such care; Affordable Care: Care that reins in unsustainable costs for families, government, and the private sector to make it more affordable; and Healthy People/Healthy Communities: The promotion of health and wellness at all levels.
- Question 4:** What aspirational goals should be set for the next 5 years, and to what extent should achievable goals be identified for a shorter timeframe?
- Question 5:** Are there existing, well-established, and widely used measures that can be used or adapted to assess progress towards these goals? What measures would best guide public a assessing the nation's progress to meeting the goals in the National Qual

The browser's taskbar at the bottom shows the Windows Start button and several open applications. The system tray on the right indicates the time is 3:15 PM and the zoom level is 100%.

See 8 page PDF or scroll down
Comments due Oct 15!



National Health Care Quality Strategy Plan

[Question 9:](#) What measures or measure sets should be considered to reflect States' activities, priorities, and concerns?

[Question 10:](#) What are some key recommendations on how to engage with States and ensure continued alignment with the National Quality Strategy?

OVERVIEW

The Patient Protection and Affordable Care Act (the Affordable Care Act), Public Law 111-148, puts in place a wide range of tools, resources and requirements that will assure Americans have health care coverage. At the same time, the Act has an array of provisions that are designed to assure that all Americans have access to health care that is of the highest clinical quality, is patient-centered, and assures the affordability of that care for America's families, taxpayers, and employers.

Context: Multiple provisions of the Affordable Care Act build on and expand existing programs that assess and improve quality of care. These include programs for hospitals, physicians, nursing homes, and other providers that link public reporting on selected dimensions of quality with Medicare reimbursement. The Affordable Care Act builds on these efforts to expand the linkage between payment and results – what is often called value-based purchasing – to reach doctors, hospitals and virtually all sites of care. In addition to these programs, the Affordable Care Act includes requirements for new programs led by the Center for Medicare & Medicaid Services (CMS) that will expand payments for primary care, as well as promote better care coordination, integration of services and patient-focused care, such as through accountable care organizations and advanced primary care practices (also known as "medical homes"). A new Center for Medicare and Medicaid Innovations will assure that promising innovations in care delivery and payment are well tested and then expanded into future policies for all providers. Among the many other provisions of the Affordable Care Act that will support the delivery of better care are provisions that support doctors in improving the care they deliver, expanding the workforce to meet needs for more primary care clinicians, development of curricula for health care professionals in training and the establishment of an independent Patient-Centered Outcomes Research Institute to evaluate what works and provide better information for patients and their doctors.

The Affordable Care Act builds on earlier enacted legislation, notably the Children's Health Insurance Program Reauthorization Act (CHIPRA) and the American Recovery and Reinvestment Act (ARRA). CHIPRA includes provisions to support quality assessment and improvement for children insured by the Medicaid and CHIP programs. In addition, under ARRA there are substantial incentives for doctors and hospitals to adopt electronic health records to improve care quality and safety. HHS has also instituted other initiatives as part of the Administration's focus on the prevention and elimination of health care-associated conditions (such as pressure ulcers or hospital-acquired infections) and improved care for individuals with multiple chronic illnesses.

With the Affordable Care Act, Medicare and other public programs will expand their leadership and help pave the way for improving health care for all Americans. At the same time, the Administration recognizes that improving the quality and affordability of health care is an enterprise that requires strong collaborations between the Federal government, States, and the private sector. Both for the programs already implemented and as it plans for the future, the federal government is looking to align its efforts with states and the private sector and get input from multiple stakeholders on all aspects of the effort to foster higher quality, more affordable care.

The fact that there is an array of federal and private sector efforts underway or are being initiated to improve health care has led to an element of the Affordable Care Act that seeks to integrate these efforts into a cohesive plan. Section 3011 of the Affordable Care Act calls on the Secretary of the Department of Health and Human Services (HHS) to establish a national quality strategy, including a comprehensive strategic plan and the identification of priorities to improve the delivery of health care services, patient health outcomes, and population health. The Affordable Care Act requires that the strategy be developed in a transparent and collaborative process and also calls for a parallel National Prevention and Health Promotion Strategy that is scheduled to be released in March of 2011. The initial Health Care Quality Strategy and Plan is due to Congress by January 1, 2011 and must



National Health Care Quality Strategy Plan

THE NATIONAL HEALTH CARE QUALITY STRATEGY AND PLAN

What follows are some of the initial principles to guide the National Health Care Quality Strategy and Plan that build on many other strategic planning efforts. These principles, in turn, are intended to guide the broad framework of our effort to engage state and diverse private-sector stakeholders in shaping this National Strategy. Our hope is that a guiding framework will provide a vision that focuses the work of major strategic efforts and initiatives on a small set of core principles and goals that represent our highest priorities and are aspirational, actionable, and aligned across the nation.

Principles Guiding the National Quality Strategy

The initial set of potential "core principles" are intended to serve as the underpinning of the National Quality Strategy and should be reflected not only in the framework, but in how goals, targets, and plans are developed. They include:

- Person-centeredness and family engagement will guide all strategies, goals, and improvement efforts
- The strategy and goals will address all ages, populations, service locations, and sources of coverage
- Eliminating disparities in care – including but not limited to those based on race, ethnicity, gender, age, disability, socioeconomic status and geography – will be integral to all strategies and goals
- The design and implementation of the strategy will consistently seek to align the efforts of public and private sectors

Feedback Question:

1. Are the proposed Principles for the National Strategy appropriate? What is missing or how could the principles be better guides for the Framework, Priorities and Goals?

Framework for the National Quality Strategy

In addition to being guided by a set of core principles, the initial thinking of the Department of Health and Human Services is that the National Quality Strategy should be organized around a simple framework that should resonate broadly, be clear, be easily understood and be attainable with concerted effort. The proposed framework consists of three components that are intended to be consistent over-time, while allowing for both the initial identification of priorities and associated goals and measures, as well as regular updating to accommodate new directions and emerging issues. The proposed framework components are:

- **Better Care:** Person-centered care that works for patients and providers. Better care should expressly address the quality, safety, access, and reliability of how care is delivered, as well as the experience of individuals in receiving that care; active engagement of patients and families; and the best possible care at all stages of health and disease;
- **Affordable Care:** Care that reins in unsustainable costs for families, government, and the private sector to make it more affordable; and
- **Healthy People/Healthy Communities:** Improving health and wellness at all levels through strong partnerships between health care providers, individuals, and community resources.



Public Comments

- **It is imperative that consumer/survivors and advocacy groups submit comments**
 - Comments can be based on any issue that are relevant to the commenter and the rule.
 - Comments can be based on direct experience with the issue, anticipated consequences of the proposed rule, and would ideally suggest more effective solutions.
- **All public comments must be addressed by the rulemaking agency in the next iteration of the rule.**



Publication of Final Rule

- An agency must submit most final rules to both houses of Congress and the General Accounting Office before they can take effect.
 - Major rules are subject to a delayed effective date (with certain exceptions).
 - Action by Congress and the President could have an impact on the rule.



Federal Register

- The Federal Register is the official daily publication for agency rules, proposed rules, and notices of Federal agencies and organizations, as well as for Executive Orders and other presidential documents.
- To learn more, visit the Federal Register website at: <http://www.gpoaccess.gov/fr/>.



Publication of Final Rule, Interim Final Rule, or Direct Final Rule

- Final rules are published in the Code of Federal Regulations
 - <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=%2Findex.tpl>



Resources

- Sign up for the Office on Disability List Serve
 - <https://list.nih.gov/cgi-bin/wa.exe?SUBED1=DHHSOFFICEONDISABILITY&A=1>
- Office of Regulation and Regulatory Affairs:
 - <http://www.reginfo.gov/public/jsp/Utilities/index.jsp>
- Regulations.gov
 - <http://www.regulations.gov/search/Regs/home.html#home>
- Unified Agenda:
 - <http://www.reginfo.gov/public/do/eAgendaMain>
- Reg Map: Graphic Depiction of Regulation Development Process
 - <http://www.reginfo.gov/public/reginfo/Regmap/index.jsp>
- Federal Register:
 - <http://www.gpoaccess.gov/fr/index.html>
- CMS Quarterly Provider Updates
 - <https://www.cms.gov/QuarterlyProviderUpd>

