

IMS Advocate

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Iowa reform commission meets

The first meeting of Iowa's Legislative Health Care Coverage Commission was September 9. The commission, chaired by David Carlyle, MD, consists of members representing providers, payers, employers, and workers. Legislators from both parties also serve on the group.

The commission has been broken into work groups that will discuss coverage of adults, a statewide insurance pool, and administration of any health reform.

The work groups will meet periodically before the full commission meets again. All meetings are open to the public. More information on the commission, its duties, and upcoming meetings is available at www.legis.state.ia.us under the "committees" tab.

DUR seeks physician feedback

The Iowa Medicaid Drug Utilization Review Commission (DUR) voted in favor of making recommendations to the Iowa Department of Human Services regarding some Medicaid clinical prior authorization (PA) criteria. The DUR seeks physician feedback on proposed changes for: 1) Ketorolac; 2) muscle relaxants; 3) antihistamines; and 4) short-acting oral fentanyl products.

Visit www.iowamedical.org to read the letter from the DUR. Send any feedback to Eric Nemmers at enemmers@iowamedical.org by October 16.

IMS President visits D.C. as health reform debate continues

Congress has reconvened after the August recess and health system reform remains the top area for discussion. On September 9, IMS President Michael Kitchell, MD, traveled to Washington to meet with Iowa's Congressional Delegation. During his visit, Dr. Kitchell called on officials to enact legislation that covers Iowa's uninsured and underinsured and also helps Iowa's health care providers by improving Medicare geographic equity, enacting medical liability reform, and alleviating physician workforce issues. Additionally, Dr. Kitchell emphasized that any health reform must work to pay for quality and value rather than simply the number of procedures performed.

The Senate Finance Committee, of which Iowa's Charles Grassley is Ranking Member, continues its bipartisan discussion on what will be included in its health reform bill that is expected out within the next two weeks. The Committee's framework for the bill is available at the IMS Web site, www.iowamedical.org.

Also this week, Iowa Senator Tom Harkin assumed chairmanship of the Senate Health, Education, Labor, and Pensions Committee. As a result, Iowans have unprecedented representation in national health reform discussions. When the Senate and the House meet in conference committee to negotiate final legislation, both Grassley and Harkin will be at the table because of their respective positions in the Senate.

HITECH Act breach notification rules effective September 23

Two federal agencies have released rules defining a "breach" of unsecured protected health information (PHI) and steps to take for reporting such breaches. The U.S. Department of Health and Human Services provided rules for HIPAA-covered entities and their business associates and the Federal Trade Commission for vendors of personal health records and other non-HIPAA covered entities. The breach notification rule, required by the Health Information Technology for Economic and Clinical Health (HITECH) Act, does not change the HIPAA Security Rule but adds new requirements.

The breach rule goes into effect on September 23, but the agencies will not enforce it until February 22, 2010. Access the rule at www.hhs.gov/ocr/privacy/hipaa/understanding/coveredentities/breachnotificationifr.html.

Get RAC questions answered

IMS is offering the webinar *Preparing for RACs* on Tuesday, September 22, from 11:00 a.m. to 1:00 p.m. This webinar, offered in conjunction with CMS and Health-DataInsights, Inc., will provide an overview of the Recovery Audit Contractor (RAC) program and implementation efforts.

Due to the importance of this topic, IMS is offering this webinar for a fee of just \$20 per connection, not per person. To register, visit www.iowamedical.org. For more information regarding this webinar or other IMS educational offerings, contact Kelly Kern at (515) 223-1401 or kkern@iowamedical.org.



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IMS committee to study out-of-hospital DNR orders

The 2009 IMS House of Delegates received a resolution asking IMS to work toward broadening the scope of Iowa's out-of-hospital (OOH) do-not-resuscitate (DNR) law to recognize DNRs entered for non-terminal patients in appropriate medical circumstances consistent with standards of medical practice and principles of medical ethics.

Currently, Iowa law permits recognition by emergency care workers of an OOH-DNR only for adult patients in a terminal condition. "Terminal condition" is defined by the OOH-DNR law to mean "an incurable or irreversible condition that, without the administration of life-sustaining procedures, will, in the opinion of the attending physician, result in death within a relatively short period of time or a state of permanent unconsciousness from which, to a reasonable degree of medical certainty, there can be no recovery."

Sponsors of the resolution said that physicians find the current law to be confusing and fear that the law's language places physicians at legal risk when a DNR order is appropriately entered for a non-terminal patient with a medical condition that supports entry of a DNR. The House of Delegates referred the resolution to the IMS Committee on Law and Ethics for further study and report to the IMS Board of Directors. The committee, chaired by Jeff Anderson, MD, will consider the resolution at its October 12 meeting. Submit comments for committee consideration to Jeanine Freeman, JD, at jfreeman@iowamedical.org.

IBM committee on chronic interventional pain management

At its September meeting, the Iowa Board of Medicine (IBM) announced it will convene an ad hoc committee to examine the application of high-risk interventional techniques in managing subacute, chronic, persistent, and intractable pain. John Olds, MD, the IBM's medical advisor, will facilitate.

Groups invited to participate include IMS, other professional medical societies, the Iowa Hospital Association, professional nursing associations, and the Iowa Board of Nursing. The committee is tasked with "identifying chronic interventional pain management procedures that are considered the practice of medicine and those that could be performed by non-physicians."

At that same meeting, the IBM released draft rules setting out standards of practice for chronic interventional pain management but took no action on that draft. The IBM issued a public announcement on September 4 describing the ad hoc committee. The announcement and the draft rules are available at www.medicalboard.iowa.gov.

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