



Monitoring Access to Care Among Medicaid Beneficiaries

Medicaid and CHIP Payment and Access Commission

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Overview

- Commission's prior work on monitoring access
- Current requirements
 - Monitoring access under fee for service
 - Monitoring access under managed care
 - Proposed rule changes
- Challenges with monitoring access
- Next steps

Commission's Prior Work on Monitoring Access

- In 2011, developed an initial framework for examining access that accounts for program variability across states
- In 2017, examined the current regulatory framework for ensuring access and identified many challenges
- Commented on rules, noting that a monitoring system should provide actionable information while not overburdening states.

Current Requirements

- Federal and state government obligations to ensure access are covered under multiple sections of the Social Security Act
- Two final rules guide states in complying with the equal access provision under FFS and in defining network adequacy standards under managed care

Monitoring Access under FFS

- Historically, compliance with the requirement to “enlist enough providers” was assessed through the adequacy of provider payment rates
- U.S. Supreme Court ruling in *Armstrong v. Exceptional Child Center* ended the private right of action
- In November 2015, CMS issued a final rule with comment and a request for information

Monitoring Access under FFS

- The goal of the final rule was to create a more systematic and data-driven approach to monitoring access
 - States are required to develop an access monitoring review plan (AMRP) every 3 years
 - States submit an AMRP when proposing payment rate changes that could diminish access
- Many states, especially high managed care states, expressed concerns about the administrative burden

Monitoring Access under Managed Care

- In May 2016, CMS issued a managed care rule that established new network adequacy requirements
 - States were required to develop and make publicly available time and distance standards for specific provider types
- In 2020, a final rule replaced the time and distance standards with state established quantitative standards

Proposed Rule Changes

- CMS has expressed interest in a more consistent approach to monitoring access across delivery systems
- Changes to the FFS rules were proposed, but not finalized during the Trump Administration
- Forthcoming rule in January 2022 to monitor access across delivery systems

Challenges

- Data limitations
 - Availability and timeliness of data
 - Inconsistent use of measures
 - Lack of benchmarks
- Administrative capacity constraints
- Differing state and federal priorities

Next Steps

- October: panel discussion of available access measures, data gaps, limitations, and approaches to fill these gaps
- December: panel discussion on design and implementation
- Future meetings: present possible policy options depending on Commission interest



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