

Hospital Process Changes



Background

Several bills impacting hospital operations and processes passed during the 2017 legislative session. It is important for hospitals to understand Medicaid's new fraud-prevention initiatives, changes to national and state-level heart attack reporting requirements, modifications to mammography patient notifications and changes to mental health record maintenance.

[HB 17-1139: Improving Colorado's Medicaid Program](#)

House Bill (HB) 17-1139 aims to reduce error and fraudulent practices from participating Medicaid providers who do not adhere to the state and federal Medicaid rules by billing beneficiaries for services or seeking collection from third party agencies.

What You Need to Know on HB 17-1139

- If a provider wrongly bills or seeks collection from a Medicaid client, the provider will be responsible for the amount unlawfully received with interest and any amount submitted to a collection agency. The provider must also pay a penalty of \$100 for each violation.
- If a violation has been resolved or reconciled within 30 days of notification, a provider may not be liable or responsible for paying the fine.
- The Colorado Department of Health Care Policy and Financing (HCPF) may request a written response for any provider who fails to comply with rules, manuals or bulletins issued by HCPF, the Medical Services Board or a fiscal agent of HCPF, which details corrections and describes intended changes for future compliance.
- If an organization or provider fails to comply with these options, they may be subject to termination from the national Medicaid provider network.

[SB 17-142: Breast Density Notification Required](#)

Current law requires a copy of results be given to patients following their mammogram exam. The legislature passed Senate Bill (SB) 17-142 requiring mammography reports to also include notice when an individual's results indicate she has dense breast tissue. The Colorado Department of Public Health and Environment (CDPHE) will communicate to health facilities the new requirements outlined in SB 17-142, as the Department will monitor compliance of this law through the existing health facility inspection process.

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What You Need to Know on SB 17-142

Facilities offering mammography will need to adopt new notification language for patients with dense breast tissue. The notice must indicate that the patient has dense breast tissue and inform the patient that:

- It is common and not abnormal;
- It may result in difficult interpretation of a mammogram exam;
- It may be associated with increased risk of breast cancer development; and
- The notice is provided to raise awareness and inform the patient's conversations with their physician.

[HB 17-1246](#): ST-Elevation Myocardial Infarction Task Force Recommendations for Heart Attack Care

HB 17-1246 presents several recommendations from the ST-Elevation Myocardial Infarction (STEMI) Task Force and for the evaluation of hospital STEMI care.

What You Need to Know on HB 17-1246

- Hospitals accredited by the American College of Cardiology Accreditation Services or any nationally recognized accrediting body as a STEMI receiving center must report specific information to the National Cardiovascular Data Registry heart attack database.
- Within 30 days after receiving quarterly reports from the heart attack database, accredited organizations must report this data to CDPHE for state-level analysis.
- Non-accredited hospitals are encouraged to report to the database but are not required to do so.

[HB 17-1011](#): Statute of Limitation Discipline Mental Health Professional

Mental health professionals are required to retain a patient's records for a period of seven years after termination of services. This law requires mental health professionals to notify clients that records may not be maintained beyond seven years. Further, any complaint filed with the Department of Regulatory Agencies (DORA) against a mental health professional must be made within seven years, and the Department must take disciplinary action or dismiss the complaint within two years.

What You Need to Know on HB 17-1011

- Notice to clients regarding records retention must be made within 180 days of termination of services, but may be done earlier, such as at an initial consultation.
- Mental health professionals who fail to comply with this law may be subject to disciplinary action, such as probationary status, license revocation or suspension.
- Regulatory boards for mental health professionals will be updating their rules to reflect changes imposed by this legislation.

Additional Resources

- HB 17-1139: [Final Bill](#) and [Fiscal Note](#)
- HB 17-1139 will take effect on Aug. 6, 2017
- SB 17-142: [Final Bill](#) and [Fiscal Note](#)
- SB 17-142 will take effect on Oct. 1, 2017
- HB 17-1246: [Final Bill](#) and [Fiscal Note](#)
- HB 17-1246 took effect on May 18, 2017
- HB 17-1011: [Final Bill](#) and [Fiscal Note](#)
- HB 17-1011 will take effect on July 1, 2018

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