

## **Administrative Bulletin 16-02**

### **957 CMR 5.00: Health Care Claims, Case Mix and Charge Data Release Procedures**

Effective January 21, 2016

#### **All-Payer Claims Data Fee Schedule**

The Center for Health Information and Analysis (“Center”), pursuant to 957 CMR 5.08(1) and (2), is issuing this Administrative Bulletin to update its All-Payer Claims Database (“APCD”) Fee Schedule. All fees in the APCD Fee Schedule remain unchanged and all definitions remain substantially unchanged, however, the criteria for fee waivers has been revised and expanded. Further, this Administrative Bulletin establishes a process for certain Applicants who will use the Data for a public purpose and can demonstrate an undue financial hardship. Other changes in this Administrative Bulletin include:

- All defined terms can be found in the Regulation. Researchers are defined in the Regulation; a duplicative term of “Academic Researchers” is no longer required.
- All research must be sponsored by a Researcher, who is the Applicant. Students are no longer allowed to be the Applicant; rather the faculty advisor must be the Applicant. Therefore, student-directed research no longer qualifies for a fee waiver.
- The development of a product is a single use; multiple use applies to the sale or general release of a product.
- Government entities do not pay a fee by Regulation, so reference to Government Applicants being eligible for a fee waiver is deleted.
- The Center does not currently offer a Level 1 Data Set; fees related to a Level 1 Data Set are no longer included in this Administrative Bulletin.

This Administrative Bulletin shall supersede Administrative Bulletin 15-06 which established the previous APCD Fee Schedule.

This Administrative Bulletin reports the fees established for APCD data and related application and support fees, in connection with APCD Data released pursuant to the Center’s regulation, 957 CMR 5.00: Health Care Claims, Case Mix and Charge Data Release Procedures. The established fees reflect the cost of systems analysis, program development, computer production, vendors’ fees, consulting services and other costs related to the production of the requested data.

An Applicant requesting APCD Data must remit the application fee with its application and, if such application is approved, the Applicant must remit the established fee prior to the release of the requested Data. The established fees listed below retain the previous effective or start date of July 19, 2013. 50% discounts may apply for new projects using the same data extract; if a new extract is required, no discount will apply.

## **Definitions**

Capitalized terms have the same meaning as in 957 CMR 5.00. The following terms shall have the following meanings:

“Others - Single Use” shall mean Data requests by non-Researchers for one-time uses such as those that cover one project or study, including but not limited to the development only of a product. The “product” of a single use is a journal article, seminar, or other report on the project or study that may contain summaries of the Data pertinent to the research or analysis.

“Others - Multiple Use” shall mean Data requests by non-Researchers for either:

- 1) a project or study involving limited ancillary uses, such as:
  - a) sale or general release of custom reports for specific clients where the Data is part of a larger analytical service;
  - b) analyses by a provider, plan or other organization where use of the Data functions as a site license; or
  - c) sale or general release of analytical tools such as severity indices or weights where the Data is a component used in deriving the tool but the tool does not access or disclose the data.
- 2) multiple primary uses, such as:
  - a) sale or general release of reports principally composed of all or a portion of the Data;
  - b) sale or general release of a product facilitating the use of all or a portion of the Data; or
  - c) a product that integrates the Data with data from other permitted sources, with or without related query tools.

## **Fee Waivers**

In accordance with 957 CMR 5.08, Applicants may qualify for a full or partial fee waiver, which shall be granted at the Center’s discretion. Such Applicants include: (1) Payers who submit Data to the APCD that are requesting their own Data; (2) Researchers conducting health care studies directly tied to evaluation or improvement of current State government health care initiatives; (3) Researchers using the Data for non-commercial purposes who can demonstrate that the imposition of fees would constitute an undue financial hardship; and (4) Payers, Providers and Provider Organizations that are required to file Data with the Center pursuant to M.G.L. c. 12C and are current with all such Data filings and reporting requirements.

The Center understands that the imposition of fees may be an impediment to the use of the Data for other important health care purposes and, therefore, may consider partial fee waivers or may

enter into alternative payment arrangements with: (i) Researchers who wish to use the Data for a commercial purpose; and (ii) other Applicants who can demonstrate (A) the Data will be used to fulfil a public purpose, and (B) the payment of fees would constitute an undue financial hardship. Such alternative payment arrangements may include licensing arrangements or other payment mechanisms.

**Application Fees**

The established fees for APCD Data and related applications are as follows:

Application Fee	\$300
-----------------	-------

**Support/Production Fees**

Support/Production	\$140 per hour
--------------------	----------------

**APCD Data Fees—Effective July 19, 2013**

<b>Data Use Fees</b>			
File	Researchers	Others – Single Use	Others – Multiple Use
Membership	\$2,500	\$7,500	\$37,500
Medical Claims	\$2,500	\$7,500	\$37,500
Pharmacy Claims	\$2,500	\$7,500	\$37,500
Dental Claims	\$1,000	\$3,000	\$15,000
Provider	\$2,500	\$7,500	\$37,500
Product	\$2,500	\$7,500	\$37,500