Affordable Care Act Mandate for Patient Safety: Why You Should Take Action Now

Hospitals with 50+ Beds Need to Take Action Now in Order to Participate in Qualified Health Plans

The Centers for Medicare and Medicaid Services (CMS) finalized its “Notice of Benefit and Payment Parameters” for 2017 in the March 8, 2016, Federal Register. In it, they establish new patient safety requirements for hospitals that contract with a Qualified Health Plan (QHP). Hospitals with over 50 beds must engage with a federally listed Patient Safety Organization (PSO) or, if not working with a PSO, implement an evidence-based initiative, to improve healthcare quality through the collection, management and analysis of patient safety events that reduces all cause preventable harm, prevents hospital readmission, or improves care coordination.

The new rule goes into effect for plan years beginning on or after January 1, 2017. QHPs will need to verify that their hospitals are in compliance by, for example, seeking evidence of a current PSO agreement or an attestation of the hospital’s participation that demonstrates compliance. According to CMS, “...use of a data-driven approach, analytic feedback, and shared learning to advance patient safety, such as working with a PSO, are essential to implementing meaningful interventions to improve patient health care quality.”

The privilege and confidentiality protections under the Patient Safety and Quality Improvement Act (PSQIA) only apply to PSO engagements, not to other evidence-based initiatives. Under the PSQIA, licensed providers participating in a PSO get the benefit of federal legal privilege for patient safety data.

The CMS rule also requires hospitals with over 50 beds to implement a “comprehensive person-centered discharge program to improve care coordination and health care quality for each patient” as a condition of contracting with a qualified health plan.

ECRI Institute PSO offers several programs that assist hospitals with the 2017 requirements, including participation in a PSO as well as evidence-based initiatives. You don’t want to end up racing against the clock minutes before the new rules go into effect, so we encourage the immediate evaluation of options and accomplishment of a decision with time remaining to implement the selected approach.

Whether you choose to participate in a PSO or pursue an evidence-based initiative, ECRI Institute can help.

ECRI Institute can provide you with independent, unbiased resources and tools to help you take action not only on the requirements outlined in the ACA, but also your organization’s unique patient safety goals.

Contact us for assistance at (610) 825-6000, ext. 5558, or pso@ecri.org.