

# HB23-1215

## Hospital Facility Fee Steering Committee

Facilitated by:  
Government Performance Solutions, Inc. (GPS)

Tuesday, August 13, 2024  
4:00 – 6:00 p.m.



**COLORADO**  
Department of Health Care  
Policy & Financing



# Virtual meeting guidelines

Here are some ideas to make virtual collaboration easy on us all:



This meeting is being recorded!



If your computer has a camera, please keep it on. Be careful there is nothing revealing in your background. We suggest using the blur feature or virtual background.



Put your computer microphones (or phone) on mute



Use the chat feature to share ideas and ask questions



Click the Live Transcript icon at the bottom of your screen



# Welcome



**COLORADO**

Department of Health Care  
Policy & Financing



# Who's on the steering committee?

1. Isabel Cruz, Policy Director, Colorado Consumer Health Initiative
2. Diane Kruse, Health Care Consumer
3. Dr. Omar Mubarak, Managing Partner, Vascular Institute of the Rockies
4. Dan Rieber, Chief Financial Officer, UHealth
5. Bettina Schneider, Chief Financial Officer, Colorado Department of Health Care Policy and Financing (HCPF)
6. Kevin Stansbury, Chief Executive Officer, Lincoln Health
7. Karlee Tebbutt, Regional Director, America's Health Insurance Plans



# Why are we here? HB23-1215

- HCPF must form a steering committee to deliver to the state House of Representatives Health and Insurance Committee, the Senate Health and Human Services Committee, or their successor committees a separate, one-time report by October 1, 2024, that details the impact of facilities fees using data from the past 10 years.
- **The Steering Committee is required to develop a report detailing the impact of facility fees**, defined as “any fee a hospital or health system bills for outpatient hospital services that is intended to compensate the hospital or health system for its operational expenses and separate and distinct from a professional fee charged or billed by a health-care provider for professional medical services.”
- The Steering Committee is entitled to receive and request data from the All-Payers Claims Database, hospitals, and health systems, Health Care Policy and Financing (HCPF), Division of Insurance (DOI), commercial payers, and independent providers.



# What will we accomplish today?

1. Agenda, shared purpose, and commitments (5 minutes)
2. Review comments and embody agreed-upon edits (90 minutes)
3. Public comment 5:35 - 5:45 p.m. (10 minutes)
4. Vote to approve sending a preliminary version of the report without appendices to the General Assembly on September 3 (10 minutes)
5. Next steps (5 minutes)



# Recap: Our boundaries

- The steering committee will keep the scope of work confined to HB23-1215's requirements.
- There may be limitations on the data available for actuarial analysis, so the report will be based on what is available.
- The steering committee shall not share publicly any information submitted to the steering committee as “confidential.”

# Procedural norms

- Follow [open meeting laws](#) protocols; communication between 2 or more steering committee members requires public notice
- If we need to vote to confirm consensus on the accuracy and completeness of the language/data that explain the impact, we will
  - Use roll call vote and ask dissenters to draft their opinion
  - If unable to attend a meeting where a vote is occurring, share your vote and opinion in writing before the meeting
- Have public comment at the end of the meeting, unless voting on impact/decision, then prior to the vote



# Shared behavioral commitments

In January, the group adopted these (8) behavioral commitments:

- Engage in candid, honest dialogue while maintaining an open mind about other's positions
- Avoid acronyms and speak up if you require clarification
- Stay on topic and within the boundaries established in [HB23-1215](#)
- Use the raise hand function to signal your desire to speak; allow some grace if there is a topic change
- Be succinct in your engagement to make room for others to ask questions and share their opinions
- Maintain mutual respect, acknowledging that each person has been chosen for a reason and is equally important
- It's okay to disagree, but do so without being disagreeable
- Be on camera by default; notify others if there is a reason you cannot

# Review & Discuss Report Comments



# Getting to Consensus

- **Our goal:** Achieve consensus on the content of a data-driven report on the impact of facility fees in keeping with the charge given to this group by the General Assembly
- Consensus is defined as general agreement or “the ability to live with a result even if you don’t agree 100%”
- We will pursue consensus by:
  - Listening actively and searching for compromise in language
  - Adding caveats that address the many valid exceptions

# Process for reviewing report comments (1 of 2)

- The facilitator has shared the list of edit proposals and questions submitted by the steering committee in a spreadsheet
- The support team has corrected typos and simple fixes
- The steering committee has rated each proposal as follows:
  - A: Accepted as-proposed
  - B: Not important enough to object
  - C: Significant objection (please describe the objection in the "Objection Notes" column & include initials)

# Process for reviewing report comments (2 of 2)

- We have color-coded the spreadsheet as follows:
  - Only As and Bs **(GREEN)**—embody the proposed edits without discussion
  - Only one C **(YELLOW)**—Discuss these after **RED** items
  - Two or more Cs **(RED)**—Use meeting time to seek consensus
- If we are unable to find consensus, a vote will be taken, but we don't want to do that TOO EARLY



# Public Comment

# Public comment

Please...

1. Indicate you wish to offer public comment:
  - Speak to the facilitator if in person
  - Use the “raise your hand” icon if online
  - Hit \*9 to raise your hand if you are on the phone.
2. Wait to speak until the facilitator calls your name.
3. Make your comments within the request time limit to allow other time to speak.
4. Written comments are also welcome at [hcpf\\_facilityfee@state.co.us](mailto:hcpf_facilityfee@state.co.us)

Thank you!

# Voting





# Preliminary version vote

We propose that:

1. One steering committee member makes a motion to submit a “clean” preliminary version of the report without appendices to the General Assembly on September 3
2. Another steering committee member seconds the motion
3. Discussion limited because each item has already been discussed
4. Roll call vote is called with responses recorded

# Next Steps



# Next steps (subject to the conduct of the meeting!)

- Lock down edits to the main body of the report by 8/16—prepare a “clean” version that includes today’s decisions
- Continue to seek edits to the appendices
  - New edit proposals will be logged
  - Periodic updates to be sent by support team with specific edits for consideration
  - Continue to use the polling method established today
  - Use the September meeting to sort out “tricky items” and ultimately vote to approve the complete report
- The draft report without appendices “preliminary” watermark will be submitted to the legislature on Tuesday, September 3
- Steering Committee meeting is September 10, from 4:00 - 6:00 PM—handle any final edits

# Thank you!

