Resources and Techniques for Researching Healthcare Regulatory Issues

David M. Dirr
Dressman Benzinger LaVelle psc
Crestview Hills, KY
Road Map

- General Resources
- Kentucky vs. Federal Resources
- Agency Websites
- Statutes and Regulations
- Legislation
- Guidance Materials
- Advisory Opinions
General Resources

- Google
  - Great place to start with a question
  - Might find answer to question in blog, article, or guidance by government agency
  - Be wary of information found in blogs and articles – always verify!
General Resources

- Kaiser Family Foundation
  - http://kff.org/
  - Great resource to get general information on healthcare topics
  - Mostly federal law but many state surveys
General Resources

- Healthcare.gov
  - Resource for questions about healthcare reform
  - Geared toward consumers
  - Mostly federal but some state information on healthcare reform
Agency Websites – Federal

- Centers for Medicare and Medicaid Services (www.cms.gov)
  - Lots of information, but difficult to navigate
  - Acronym and Glossary Tools
  - Medicare Manuals
  - Other useful links at bottom of page
Agency Websites – Kentucky

- Cabinet for Health and Family Services (http://chfs.ky.gov/)
- Go to the Department of Medicaid Services under Agencies link or go to http://chfs.ky.gov/dms
- Use Legal and Policy Information link on DMS website
- Provides statutes, regulations, program manuals, and state plan
Agency Websites – Kentucky

- Kentucky Board of Medical Licensure (http://kbml.ky.gov)
  - Links to Regulations
  - PDFs of licensure forms and documents
- Kentucky Board of Nursing (http://www.kbn.ky.gov)
Kentucky Statutes

- All available online at: http://www.lrc.ky.gov/statutes/index.aspx
- Search option at top of page or browse by title and chapter
- Healthcare-related titles:
  - Title III – Executive Branch (Chapter 13B – Administrative Appeals)
  - Title XVIII – Public Health
  - Title XXV – Chapter 304 – Insurance Code
  - Title XXVI – Occupations and Professions
Kentucky Regulations

- Available online at: http://www.lrc.ky.gov/kar/frntpage.htm
- Search option or browse by title
- Regulations in blue are current, green are proposed, and red are emergency
- Healthcare-related titles include:
  - Titles 900 through 923 – Cabinet for Health and Family Services
  - Title 806 – Dept. of Insurance
Kentucky Legislation

- Kentucky Legislative Research Commission
  - Place to find pending legislation and legislation that was recently passed
  - Includes database of several past sessions
  - Call the LRC staff with questions
Federal Statutes

- Several sources:
  - http://www.usa.gov/Topics/Reference-Shelf/Laws.shtml (official)
  - http://www.law.cornell.edu/statutes.html (unofficial)
- Medicaid and Medicare laws are in Title 42
Federal Regulations

- Electronic Code of Federal Regulation
  - http://www.ecfr.gov
  - Most current source
  - Medicaid and Medicare regulations in Title 42
Federal Regulations

- Medicare Conditions of Participation
  - CMS website for regulations and commentary
  - Electronic Code of Federal Regulations for clean copies of regulations
    - http://www.ecfr.gov
Federal Legislation

- Thomas
  (http://thomas.loc.gov/home/thomas.php)
  - Contains copies of all bills that have been introduced
  - Allows you to search by number or sponsor
  - Other legislative materials are available
Federal Rules and Guidance

- Federal Register
  - https://www.federalregister.gov
  - Different ways to search
  - Release date and publish date can be different
  - Commentary can be helpful
Federal Rules and Guidance

- Dept. of Health and Human Services – OIG Compliance Guidance (https://oig.hhs.gov/compliance)
  - Advisory Opinions
    - Provide guidance but no legal protection to other providers
Federal Rules and Guidance

- **OIG Compliance Program Guidance**
  - Collection of material issued to providers to help them create effective compliance programs

- **Special Fraud Alerts, Bulletins, and Other Guidance**
  - Shows areas of focus by OIG
Federal Rules and Guidance

  - Includes Frequently Asked Questions
  - Links to HIPAA Administrative Simplification Regulations and summaries of rules
Kentucky Guidance

- Kentucky Attorney General Opinions (http://ag.ky.gov/civil/opinions)
  - Some opinions relate to healthcare law
  - A search option is available
Questions?

ddirr@dbllaw.com

(859) 341-1881