

September 9th, 2021

**To:**

Cassie Soucy, Senior Policy Advisor  
Lisa Emerson, Senior Health Insurance Programs Analyst  
Karen Winkel, Rules Coordinator  
State of Oregon, Department of Consumer and Business Services

**From:**

Laura Coughlin RN, BSN, MBA, Vice-President Clinical Development  
Change Healthcare

**Re: RAC to Implement Oregon House Bill 3046; amending ORS 414.766 and 743A.168**

Dear Regulatory Advisory Committee Staff:

On behalf of Change Healthcare, I respectfully share our comments related to regulations implementing Oregon House Bill 3046 as they specifically relate to SECTION 8. (5)(C): clinical criteria used for behavioral health care services.

**Change Healthcare and Its InterQual Tool Described**

Change Healthcare provides health care technology solutions to create a more effective and efficient healthcare system. As a key facilitator of value-based healthcare, Change Healthcare collaborates with our customers and partners to accelerate the journey toward improved lives and healthier communities. We provide visible measures of quality and value not only at the point of care, but also between, after, and in between care episodes.

Change Healthcare develops and licenses industry leading InterQual® criteria which has been the gold standard for clinical decision support content and tools for over 40 years. There are over 4,000 providers and payers who utilize our InterQual criteria<sup>1</sup> to help ensure that they make clinically appropriate medical utilization decisions grounded in evidence-based medicine. The continued retention of our client base for decades for both providers and payers for our InterQual criteria attests to the quality of our criteria. For many years, Change Healthcare has been a valued partner to health plans and providers serving beneficiaries in the State of Oregon.

Independent counsel has assessed our Behavioral Health criteria and have found them to be in alignment with Federal Mental Health Parity Law. Change

Healthcare has successfully worked with other States that have reviewed our InterQual Behavioral Health criteria, and these other jurisdictions have found our criteria to meet the strict requirements of each given state. Specifically, Change Healthcare is a qualified vendor of Behavioral Health Clinical Review Criteria in the State of Connecticut since 2013, under Connecticut General Statutes §38a-591c.

**Our Support for Improving the Quality of Care**

Change Healthcare applauds the efforts of the State of Oregon to improve the quality of care provided to those suffering from mental health illnesses. We would like to offer our expertise with the following comment related to issues addressed in the above referenced bill.

**We urge caution interpreting the intent of Section 8. (5)(C), specifically that this section allows for use of appropriately objective, evidence-based review criteria tool addressing parameters in this section**

We believe the state should clarify the intent of Section 8. (5)(C). Specifically, we ask the state to clarify the intent of this section to allow for providers and payers to continue using third party criteria as long as they meet the requirements under Section 8.(5)(C).

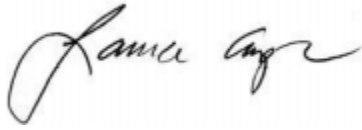
We are certain that the intent of the state is to leverage the most recent evidence-based findings in mental health care or, at the least, allow for utilization of the most current criteria as clinical evidence-based practices advance. We bring this point of clarification forward given some confusion to date from both payers and providers with implementation of California Senate Bill 855 (2019) which addresses similar matters.

**Conclusion**

Change Healthcare would welcome the opportunity to meet with the Department of Consumer and Business Services to undertake a detailed review of InterQual medical necessity criteria, and how InterQual can address the intent of the State of Oregon. We have found that regulators in other states have benefitted greatly from face-to-face discussion with our clinical leaders when evaluating InterQual criteria.

Thank you in advance for your consideration of our commentary and Change Healthcare would welcome the opportunity to provide further insight into our InterQual criteria.

Regards,



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Change Healthcare  
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<sup>i</sup> Change Healthcare internal analyses