

**Rule for: Hospitals**  
**Type of Rule: Amendment**  
**MCC Action: Initiate Permanent Rulemaking**

1 10A NCAC 13B .2102 is proposed for amendment as follows:

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3 **10A NCAC 13B .2102 REPORTING REQUIREMENTS**

4 (a) The Department shall establish the lists of the statewide 100 most frequently reported DRGs, 20 most common  
5 outpatient imaging procedures, and 20 most common outpatient surgical procedures performed in the hospital setting  
6 to be used for reporting the data required in Paragraphs (c) through (e) of this Rule. The lists shall be determined  
7 annually based upon data provided by the certified statewide data processor. The Department shall make the lists  
8 available on its website. The methodology to be used by the certified statewide data processor for determining the  
9 lists shall be based on the data collected from all licensed facilities in the State in accordance with G.S. 131E-214.2  
10 as follows:

11 (1) the 100 most frequently reported DRGs shall be based upon all hospital's discharge data that has  
12 been assigned a DRG based on the Centers for Medicare & Medicaid Services grouper for each  
13 patient record, then selecting the top 100 to be provided to the Department;

14 (2) the 20 most common imaging procedures shall be based upon all outpatient data for both hospitals  
15 and ambulatory surgical facilities and represent all occurrences of the diagnostic radiology imaging  
16 codes section of the CPT codes, then selecting the top 20 to be provided to the Department; and

17 (3) the 20 most common outpatient surgical procedures shall be based upon the primary procedure code  
18 from the ambulatory surgical facilities and represent all occurrences of the surgical codes section of  
19 the CPT codes, then selecting the top 20 to be provided to the Department.

20 (b) Information required or reported in Paragraphs (a), (c), (d), and (i) of this Rule shall be posted on the Department's  
21 website at: <http://www.ncdhhs.gov/dhsr/ahc> and may be accessed at no cost.

22 (c) In accordance with G.S. ~~131E-214.13 and quarterly per year,~~ 131E-214.13, all licensed hospitals shall report the  
23 data required in Paragraph (e) of this Rule related to the statewide 100 most frequently reported DRGs to the certified  
24 statewide data processor in a format provided by the certified statewide processor. Commencing with the reporting  
25 period ending September 30, 2015, ~~a rolling four quarters~~ an annual data report shall be submitted that includes all  
26 sites operated by the licensed hospital. Each annual report shall be ~~for the period ending three months prior to~~  
27 submitted by the due date of ~~the report.~~ January 1.

28 (d) In accordance with G.S. ~~131E-214.13 and quarterly per year,~~ 131E-214.13, all licensed hospitals shall report the  
29 data required in Paragraph (e) of this Rule related to the statewide 20 most common outpatient imaging procedures  
30 and the statewide 20 most common outpatient surgical procedures to the certified statewide data processor in a format  
31 provided by the certified statewide processor. This report shall include the related primary CPT and HCPCS codes.  
32 Commencing with the reporting period ending September 30, 2015, ~~a rolling four quarters~~ an annual data report shall  
33 be submitted that includes all sites operated by the licensed hospital. Each annual report shall be ~~for the period ending~~  
34 three months prior to submitted by the due date of ~~the report.~~ January 1.

35 (e) The reports as described in Paragraphs (c) and (d) of this Rule shall be specific to each reporting hospital and shall  
36 include:

- 1 (1) the average gross charge for each DRG, CPT code, or procedure without a public or private third  
2 party payer source;
- 3 (2) the average negotiated settlement on the amount that will be charged for each DRG, CPT code, or  
4 procedure as required for patients defined in Subparagraph (e)(1) of this Rule. The average  
5 negotiated settlement shall be calculated using the average amount charged all patients eligible for  
6 the hospital's financial assistance policy, including self-pay patients;
- 7 (3) the amount of Medicaid reimbursement for each DRG, CPT code, or procedure, including all  
8 supplemental payments to and from the hospital;
- 9 (4) the amount of Medicare reimbursement for each DRG, CPT code, or procedure; and  
10 (5) on behalf of patients who are covered by a Department of Insurance licensed third-party and teachers  
11 and State employees, the lowest, average, and highest amount of payments made for each DRG,  
12 CPT code, or procedure by each of the hospital's top five largest health insurers.
- 13 (A) each hospital shall determine its five largest health insurers based on the dollar volume of  
14 payments received from those insurers;
- 15 (B) the lowest amount of payment shall be reported as the lowest payment from each of the  
16 five insurers on the DRG, CPT code, or procedure;
- 17 (C) the average amount of payment shall be reported as the arithmetic average of each of the  
18 five health insurers payment amounts;
- 19 (D) the highest amount of payment shall be reported as the highest payment from each of the  
20 five insurers on the DRG, CPT code, or procedure; and
- 21 (E) the identity of the top five largest health insurers shall be redacted prior to submission.
- 22 (f) The data reported, as defined in Paragraphs (c) through (e) of this Rule, shall reflect the payments received from  
23 patients and health insurers for all closed accounts. For the purpose of this Rule, "closed accounts" are patient accounts  
24 with a zero balance at the end of the data reporting period.
- 25 (g) A minimum of three data elements shall be required for reporting under Paragraphs (c) and (d) of this Rule.
- 26 (h) The information submitted in the report shall be in compliance with the federal Health Insurance Portability and  
27 Accountability Act of 1996, 45 CFR Part 164.
- 28 (i) The Department shall provide the location of each licensed hospital and all specific hospital data reported pursuant  
29 to this Rule on its website. Hospitals shall be grouped by category on the website. On each quarterly report, hospitals  
30 shall determine one category that most accurately describes the type of facility. The categories are:
- 31 (1) "Academic Medical Center Teaching Hospital," means a hospital as defined in Policy AC-3 of the  
32 N.C. State Medical Facilities Plan. The N.C. State Medical Facilities Plan may be accessed at:  
33 <http://www.ncdhhs.gov/dhsr/ncsmfp> at no cost.
- 34 (2) "Teaching Hospital," means a hospital that provides medical training to individuals, provided that  
35 such educational programs are accredited by the Accreditation Council for Graduated Medical  
36 Education to receive graduate medical education funds from the Centers for Medicare & Medicaid  
37 Services.

- 1 (3) "Community Hospital," means a general acute hospital that provides diagnostic and medical  
2 treatment, either surgical or nonsurgical, to inpatients with a variety of medical conditions, and that  
3 may provide outpatient services, anatomical pathology services, diagnostic imaging services,  
4 clinical laboratory services, operating room services, and pharmacy services, that is not defined by  
5 the categories listed in this Subparagraph and Subparagraphs (i)(1), (2), or (5) of this Rule.
- 6 (4) "Critical Access Hospital," means a hospital defined in the Centers for Medicare & Medicaid  
7 Services' State Operations Manual, Chapter 2 – The Certification Process, 2254D – Requirements  
8 for Critical Access Hospitals (Rev. 1, 05-21-04), including all subsequent updates and revisions.  
9 The manual may be accessed at the website: [http://www.cms.gov/Regulations-and-  
10 Guidance/Guidance/Manuals/downloads/som107ap\\_a\\_hospitals.pdf](http://www.cms.gov/Regulations-and-Guidance/Guidance/Manuals/downloads/som107ap_a_hospitals.pdf) at no cost.
- 11 (5) "Mental Health Hospital," means a hospital providing psychiatric services pursuant to G.S. 131E-  
12 176(21).

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14 *History Note:* Authority G.S.131E-214.4; 131E-214.13;  
15 *Temporary Adoption Eff. December 31, 2014;*  
16 *Eff. September 30, 2015;*  
17 *Temporary Amendment Eff. March 31, 2016. 2016.*  
18 *Amended Eff. January 31, 2017.*