

BLUE CROSS BLUE SHIELD OF MICHIGAN TESTIMONY

Before the Senate Health Policy Committee on SB 741

March 15, 2016

Thank you Mr. Chairman and members of the Senate Health Policy Committee, for allowing me the opportunity to come before you on this important issue.

I am Dr. Marc Keshishian, Senior Vice President and Chief Medical Officer for Blue Cross Blue Shield of Michigan and current chair of the 11 member CON Commission – appointed with the advice and consent of the Senate. As you are aware, the Commission is charged with developing and approving review standards used by the Department of Health and Human Services to regulate covered health facilities and various advanced imaging and medical services, including CT scanners.

The CON program is designed to maintain access to high quality health care services at a reasonable cost for all who receive medical care in the State of Michigan. The CON Commission evaluates the fifteen different review standards for modification on a three-year rotating schedule, or sooner upon request and necessity. Additionally, the Commission is authorized to recommend revisions to the list of covered clinical services subject to CON review.

Just prior to the introduction of Senate Bill 741, the CON Commission, at its January meeting, appointed a workgroup to study cone beam CT regulations and determine whether there is a need for continued regulation based on new developments related to the technology. I believe the statutorily created CON Commission is the proper avenue for decisions related to changes in regulation. It would be unfortunate to see the process circumvented through legislation calling for industry specific carve-outs.

The CON decision making structure a transparent, public and statutorily created process, illuminating important quality, cost and access concerns that impact the residents of this state. It is also a dynamic and constantly evolving process, with updates made regularly in response to new developments in the field, including decisions to deregulate. Just to name a few examples:

- In 2014, recommendations from a formal workgroup evaluating the cardiac catheterization standards resulted in an **expansion** of facilities that can perform elective PCI, based on new evidence-based guidelines.
- In 2012, a review of the various standards related to transplantation services resulted in a decision by the Commission to **de-regulate** pancreas transplants from CON, as the process no longer provided value in impacting cost, quality, or access to the service.

The CON Commission is currently in the process of finalizing the formation of a workgroup to engage in an examination of the CT standards. Because this process involves varying levels of radiation, especially in children, we believe that adequate Commission discussion relative to the safety and efficacy of Dental Cone Beam imaging is an important and valuable step in the process. Going forward, we welcome continued conversation regarding regulation or de-regulation of the service in light of new science and developments in cone-beam technology. However, we feel legislative action prior to an appropriate review by medical experts on the Commission would be premature.

In summary, I ask that the legislature support CON review of this important issue through the appropriate process that keeps the interest of the residents of Michigan at its forefront. I believe the Commission will have a recommendation in the near future and would be happy to keep the Legislature apprised as those discussions continue.

Thank you for your consideration and I welcome any questions.