



July 6, 2018

The Honorable Eric Hargan
Immediate Office of the Secretary
Office of the Deputy Secretary
U.S. Department of Health and Human Services
Attention: RFI Regarding Healthcare Sector Innovation and Investment Workgroup
200 Independence Avenue SW
Washington, D.C. 20201

Dear Deputy Secretary Hargan:

Thank you for the opportunity to comment on the Department of Health and Human Services' (HHS) initiative to develop a workgroup to facilitate constructive, high level dialogue between HHS leadership and those focused on innovating and investing in the healthcare industry.

The Healthcare Leadership Council (HLC) is a coalition of chief executives from all disciplines within American healthcare. It is the exclusive forum for the nation's healthcare leaders to jointly develop policies, plans, and programs to achieve their vision of a 21st century health system that makes affordable, high-quality care accessible to all Americans. Members of HLC – hospitals, academic health centers, health plans, pharmaceutical companies, medical device manufacturers, laboratories, biotech firms, health product distributors, pharmacies, post-acute care providers, and information technology companies – advocate for measures to increase the quality and efficiency of healthcare through a patient-centered approach.

HLC agrees that innovation and investment in the healthcare industry must increase to produce more significant impact on the health and wellbeing of the American people. In fact, HLC launched the National Dialogue for Healthcare Innovation (NDHI) in 2010 to identify and remove barriers to innovation and enable transformative actions that would elevate quality, improve patient outcomes and attain greater cost-efficiency. Through NDHI, HLC involves leaders from industry, academia, the patient community and government in a collaborative effort to focus on key issues affecting healthcare's future and develop recommendations for policymakers to consider. The first project undertaken under the NDHI umbrella was to develop the first-of-its-kind healthcare multi-sector (including patients) consensus principles around how physicians and industry could and should work together to ensure principled collaboration that promotes healthcare innovation that benefits patients.

There has been considerable progress on consensus initiatives that have emerged from NDHI including the creation of a compendium of private sector medical innovation successes, “Viable Solutions: Private Sector Programs and Collaborations to Enhance Care Delivery,” that continues to serve as a guidebook demonstrating how episodic innovative examples can be translated into health policy changes that will bring greater value to the healthcare system.

The health system is also making steady progress toward the development of a nationwide interoperable health information system, led by private sector innovation as recommended by the NDHI. In order to evaluate this progress, HLC has undertaken, in collaboration with the Bipartisan Policy Center, to review the current level of progress toward nationwide data interoperability, leading to a CEO call for action to accelerate data sharing and interoperability. A core element of this project will involve detailed interviews with experts throughout the country. These interviews have already begun, being led by a research expert from University of California-San Francisco, an institution respected globally for its biomedical research expertise.

As you may recall, in February 2017 HLC submitted several “red tape” removal proposals to your department. We continue to pursue progress on the modernization of Stark and Anti-Kickback Laws as well as Medicare civil monetary penalties. Creating permanent safe harbors within this legal structure is essential in enabling the cross-sectoral collaboration that is necessary to advance value-based healthcare. Much of this work stemmed from consensus initiatives that emerged from NDHI.

NDHI is already doing significant work in promoting innovation. Should the Department of Health and Human Services choose to create a new workgroup, HLC believes that it should be modeled on the foundations and successes of NDHI and focus on how to remove barriers to accelerated healthcare innovation. The workgroup should encourage outside parties to provide information about how they are affected by HHS programs and regulatory requirements as well as provide a forum for attendees to share their perspective on how the department of Health and Human Services could improve relevant regulations and guidance. While private sector executives from the healthcare industry can fill a variety of roles depending on the issues being discussed, it is also important to ensure that there are representatives of the healthcare workforce as well as patients and healthcare consumers. Furthermore, we recommend that the project include a dashboard to track progress and to include calls to action to ensure measurable progress.

The Healthcare Leadership Council sincerely appreciates the opportunity to share our thoughts on the creation of a new innovative workgroup. We look forward to working with you as you engage on this ambitious and important endeavor that can help transform our healthcare system through innovation and collaboration. Please feel free to contact Debbie Withey (dwitchey@hlc.org) with any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary R. Grady".

Mary R. Grealy
President