From: James Scanlan <jps@jpscanlan.com>

To: ralie@mms.org

Cc:

Date: Monday, April 14, 2014 06:09 pm

Subject: Health Care Disparities Leadership Conference

Dear Ms. Alie:

I saw the materials from the April 4, Massachusetts Medical Society Leadership Conference on Health Care Disparities with you listed as the contact person. In light of the Medical Society's interest in this subject, and certain issues peculiar to Massachusetts, I may write the Society a formal letter on the subject to of this email. But as it may take some time before I get that, I thought I would informally raise these issues with you in hope you would circulate them to appropriate people at the Society.

I write about the way that standard measures of differences between outcome rates tend to be systematically affected by the prevalence of an outcome. These include a pattern whereby as healthcare improves relative differences in receipt of appropriate tend to decrease while relative differences in failure to receive appropriate care tend to increase. Absolute (percentage point) differences tend also to be affected by the prevalence of an outcome, though in a more complicated way than the two relative differences. As uncommon outcomes increase in prevalence, absolute differences tend to increase; as common outcomes increase, absolute differences tend to decrease. For less common healthcare outcomes higher-performing hospitals tend to show larger absolute differences; for common healthcare outcomes higher-performing hospitals tend to show smaller absolute differences.

A number of references are listed after the signature discussing these issues generally or particularly with regard to perceptions about pay for performance and or the disparities element in the Massachusetts Medicaid P4P program. The disparities element of that program examines types of care where rate that are in ranges where higher-performing hospitals show smaller absolute differences, but without regard to any useful indicator of cross-hospital equity. With regard to the Massachusetts Medicare issues see especially pages 24-30 of reference 1, slides 8 and 48-52 of reference 2, and page 18 to 23 of reference 3, as well as references 4 and 5 generally. I also disuss the Massachusetts situation in the forthcoming reference 13.

These points may sound a bit like those in Professor Weissman's presentation. But they are quite different. For Professor Weissman's presentation does not reflect an awareness of the ways that measures change simply because the prevalence of an outcome changes or that there exists an underlying reality regarding whether the forces causing outcome rates of advantaged and disadvantaged to differ have increased or decreased over time. I have sought to have Harvard Medical School and Massachusetts General Hospital withdraw a healthcare disparities measurement guide recently authored by Professor Weissman and others faculty of those institutions due to the guide's failure to reflect an understanding of the ways measures tend to change simply because the prevalence of an outcome changes. The ethics offices of Harvard Medical School and Massachusetts General Hospital take the position that issues I raised reflect a difference of scientific opinion and not research misconduct (as discussed further at pages 30-32 of references), so the institutions have declined to withdraw the document.

I hope the Massachusetts Medical Society finds these references of interest and considers the points they make in its future work in this area, particular with regard to such guidance the Society may wish to offer the Commonwealth respect the disparities element in its Medicaid P4P program. In the event that I send a formal letter to the Society, I will reference this email. Best wishes,

James P. Scanlan Attorney at Law 1529 Wisconsin Avenue, NW Suite 300 Washington, DC 20007 Phone: 202.338.9224 e-mail jps@jpscanlan.com

1. Measuring Health and Healthcare Disparities. Proceedings of the Federal Committee on Statistical Methodology 2013 Research Conference. (March, 2014)

Paper: http://jpscanlan.com/images/2013 Fed Comm on Stat Meth paper.pdf

Presentation: http://jpscanlan.com/images/2013 FCSM Presentation pdf .pdf

- 2. The mismeasure of group differences in the law and the social and medical sciences. Applied Statistics Workshop at the Institute for Quantitative Social Science at Harvard University, Oct. 17, 2012: http://jpscanlan.com/images/Harvard Applied Statistic Workshop.ppt
- 3. Letter to Harvard University (Oct. 9, 2012) http://jpscanlan.com/images/Harvard_University_Measurement_Letter.pdf
- 4. . Between Group Variance sub-page of Measuring Health Disparities page of jpscanlan.com: http://jpscanlan.com/measuringhealthdisp/betweengroupvariance.html
- 5. Flaws in tools for measuring healthcare disparities can exacerbate those disparities. Health Aff (Millwood) Jan. 30. 2012 (responding to Blustein J, Weissman JS, Ryan AM. Analysis raised question of whether pay-for-performance in Medicaid can efficiently reduce racial and ethnic disparities. Health Aff (Millwood) 2011;30(6):1165-1175): http://content.healthaffairs.org/content/30/6/1165/reply
- 6. Perverse Perceptions of the Impact of Pay for Performance on Healthcare Disparities," presented at the 9th International Conferences on Health Policy Statistics, Cleveland, Ohio, Oct. 5-7, 2011:

Abstract: http://www.amstat.org/meetings/ichps/2011/index.cfm?

fuseaction=AbstractDetails&AbstractID=301436

PowerPoint: http://jpscanlan.com/images/Scanlan_ICHPS_2011.ppt
Oral Presentation: http://jpscanlan.com/images/ICHPS_2011_Oral.pdf

7. Measuring Healthcare Disparities., 3rd North American Congress of Epidemiology, Montreal, Canada, June 21-24, 2011.

http://www.jpscanlan.com/images/Scanlan_RSS_2009_Presentation.ppt

8. First learn to measure healthcare disparities. *Health Affairs* Mar. 12, 2008 (responding to Casalino LP, Elster A, Eisenberg A, et al. Will pay-for-performance and quality reporting affect

health care disparities? Health Affairs 2007;26(3):405-414): http://content.healthaffairs.org/cgi/eletters/26/3/w405

- 9. "Can We Actually Measure Health Disparities?," *Chance* (Spring 2006); http://www.jpscanlan.com/images/Can We Actually Measure Health Disparities.pdf
- 10. "Race and Mortality," *Society* (Jan./Feb. 2000) (reprinted in *Current*, Feb. 2000); http://www.jpscanlan.com/images/Race_and_Mortality.pdf
- 11. "Race and Mortality Revisited," Society (July/Aug. 2014) (forthcoming)

Attachments: