Morgan Lewis

DEVELOPMENT OF BLOCKCHAIN IN HEALTH CARE

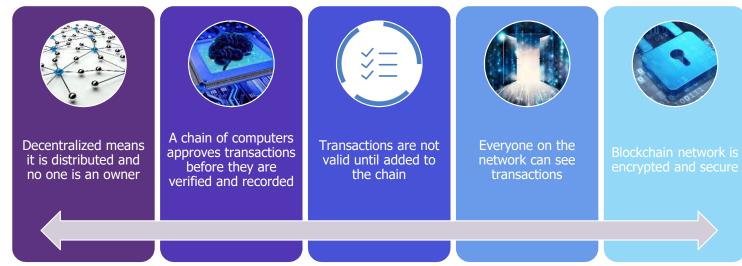
Jonelle Saunders May 14, 2019



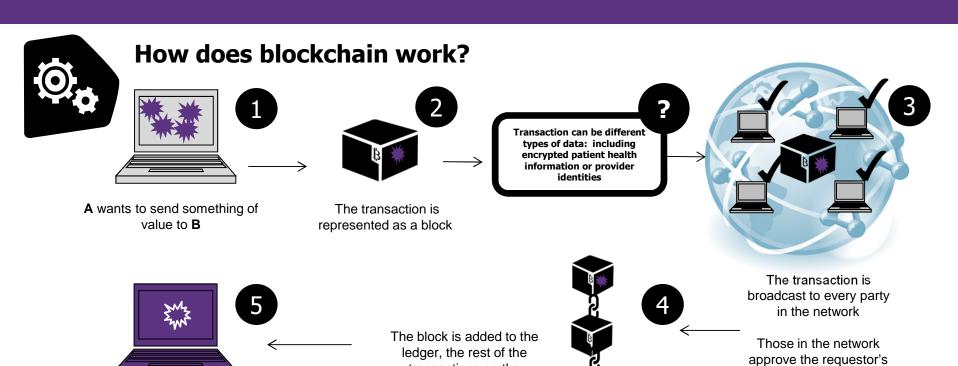
Blockchain 101



What is blockchain? A decentralized shared ledger for recording the history of transactions that cannot be altered



Blockchain 101



transactions on the

network. This creates a

"block chain," a transparent

and unchangeable record

Morgan Lewis

B receives the transfer of

value from A

status and the validity of

the transaction

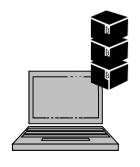
Blockchain 101

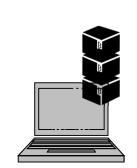


Present Data Silos



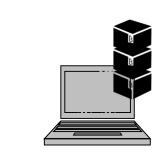






Synchronized, distributed ledger with multi-level access

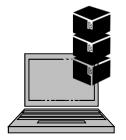
and encryption control



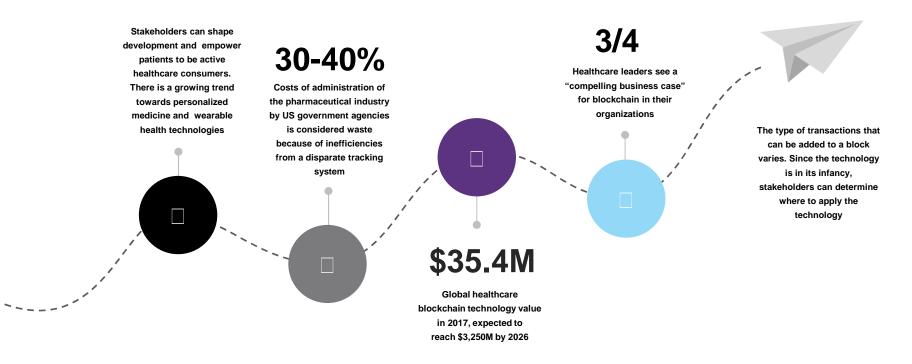






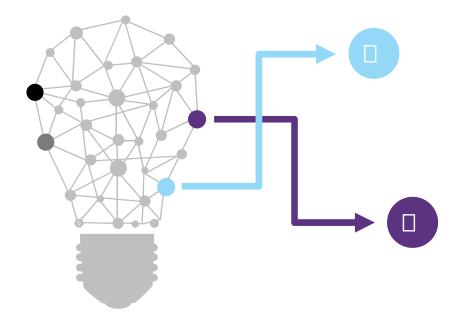


Why is Blockchain Important to Healthcare?





Organizations Seek Value



Change from a theoretical focus on blockchain in healthcare and biopharma

.

Real-world applications and testing of blockchain in healthcare

Accountable Care Organizations

- Affordable Care Act goal to reduce health care costs
 - Encourage doctors, hospitals and other health care providers to form networks to coordinate patient care
 - Eligibility for bonuses when care is delivered more efficiently
- Each ACO manages the health care needs of a minimum number of Medicare beneficiaries for a specified amount of time
- The goal is to ensure patients get the appropriate care at the right time and to avoid unnecessary duplication of services and preventing medical errors.

Patient Care Metrics







- Relieve administrative burdens, reduce waste in the system, and improve healthcare outcomes
- ✓ Central entity to control data
- Delays in payer reimbursement

Application

Utilize blockchain technology, cloud computing and cognitive learning to give providers quality metrics

Care.Wallet is a rewards program that allows providers to view performance data, compare their success with others in the network and redeem financial rewards

Plans to launch Care. Wallet for patients to automatically synchronize patient benefit information, including deductibles and copays, coinsurance and out-of-pocket expenses, into the blockchain

Use the blockchain to obtain immediate authorization, schedule appointments and share benefits information.

Drug Supply Chain Security Act

- Federal standard that "outlines steps to build an electronic, interoperable system to identify and trace certain prescription drugs as they are distributed in the United States"
 - Product verification Verify a product's "chain of custody" at any time. Industry players
 must be able to store transaction history between different members of the supply
 chain, which requires the ability to use data from different stakeholders
 - Serialization Unit-level product identifiers such that drug are serialized from start to finish
 - Traceability Interoperable system to store unit-level data at each transaction from suppliers to drug dispensers such as retail pharmacies and hospitals.

Specialty Drug Tracking

Partners











- ✓ Design and evaluation support
- ✓ Policy and industry standards development
- ✓ Provider implementation across locations
- Track transfers networks and other provider networks
- ✓ Address inventory shortages

Application

Test implementation of the Drug Supply Chain Security Act (DSCSA)

Focus on health system medication transport and usage in North Carolina, Indiana, and Tennessee.

- Examine the application of blockchain and Internet of Things (IoT) technology used to monitor specialty medication distribution across supply chains.
 - Improvement in the chain of custody with near real-time exchange of information happening from the manufacturer of the drug to the distributors, to the logistics providers, to the sites and, and ultimately to the patient.

Drug Supply Chain Working Group





MCKESSON





- ✓ Wholesale medicines are through distributors, with pricing and eligibility contracts negotiated separately
- Chargebacks represented the largest single deduction from gross sales for healthcare companies

Application

Improve on the chargeback process in the pharmaceutical industry

Parties are made whole on the price difference through a chargeback framework

Saleable return drug verification that meets the requirements of the DSCSA Act

Protocol provides lifecycle management of a product's item number, request and response messaging and change of ownership of a product in the case of a merger or an acquisition

CMS Interoperability Initiatives

- On February 11, 2019, the Centers for Medicare & Medicaid Services (CMS)
 proposed policy changes supporting its MyHealthEData initiative through the
 Interoperability and Patient Access Proposed Rule
 - The goal is to improve patient access and advance electronic data exchange and care coordination throughout the healthcare system
 - Opportunities to make patient data more useful and transferable through open, secure, standardized, and machine-readable formats while reducing restrictive burdens on healthcare providers
 - Data would include information about adjudicated claims, diagnoses, procedures, tests, and providers a beneficiary has visited
 - Insights into a beneficiary's health and healthcare utilization.
- In addition to the policy proposals, CMS is releasing two Requests for Information (RFIs)

Transparency and Interoperability











- Sharing personal health information
- Accuracy in provider directories
- Information blocking hurdles

Application

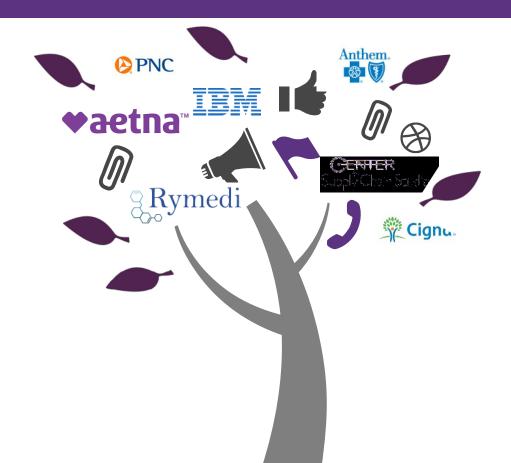
Experimenting with different areas of focus with an aim to build an inclusive blockchain network that members of multiple organizations can use to securely share personal health information

> Large network of members can exchange sensitive data in a permissioned, controlled and transparent way

Leveraging the distributed ledger technology to facilitate the transition to value-based care, such as bundled payment arrangements

Tackle administrative waste in healthcare and target areas where there is redundancy and inefficiency

Growing Partnerships



Biography



Jonelle Saunders Washington, D.C. +1.202.739.5828

jonelle.saunders@morganlewis.com

Twitter: @JSaundersEsq

LinkedIn

Jonelle C. Saunders focuses her practice on healthcare and litigation matters, as well as governmental and internal corporate investigations. Jonelle advises clients on general litigation strategy, regulatory enforcement, and compliance counseling. She also provides counsel to stakeholders across the healthcare industry including hospitals, health systems, large physician group practices, chain pharmacies, and global pharmaceutical and medical device manufacturers on US federal and state fraud and abuse matters and False Claims Act (FCA) actions.

Our Global Reach

Africa Latin America Asia Pacific Middle East North America Europe

Our Locations

Abu Dhabi Moscow New York Almaty Nur-Sultan Beijing* **Orange County** Boston

Brussels Paris

Philadelphia Century City Pittsburgh Chicago

Princeton Dallas San Francisco Dubai Frankfurt Shanghai* Silicon Valley Hartford Singapore Hong Kong*

Houston Tokyo

Washington, DC London Wilmington

Los Angeles

Miami



Morgan Lewis

*Our Beijing and Shanghai offices operate as representative offices of Morgan, Lewis & Bockius LLP. In Hong Kong, Morgan Lewis operates through Morgan, Lewis & Bockius, which is a separate Hong Kong general partnership registered with The Law Society of Hong Kong as a registered foreign law firm operating in Association with Luk & Partners. Morgan Lewis Stamford LLC is a Singapore law corporation affiliated with Morgan, Lewis & Bockius LLP.

THANK YOU

© 2019 Morgan, Lewis & Bockius LLP

© 2019 Morgan Lewis Stamford LLC

© 2019 Morgan, Lewis & Bockius UK LLP

Morgan, Lewis & Bockius UK LLP is a limited liability partnership registered in England and Wales under number OC378797 and is a law firm authorised and regulated by the Solicitors Regulation Authority. The SRA authorisation number is 615176.

Our Beijing and Shanghai offices operate as representative offices of Morgan, Lewis & Bockius LLP. In Hong Kong, Morgan Lewis operates through Morgan, Lewis & Bockius, which is a separate Hong Kong general partnership registered with The Law Society of Hong Kong as a registered foreign law firm operating in Association with Luk & Partners. Morgan Lewis Stamford LLC is a Singapore law corporation affiliated with Morgan, Lewis & Bockius LLP.

This material is provided for your convenience and does not constitute legal advice or create an attorney-client relationship. Prior results do not guarantee similar outcomes. Attorney Advertising.