

DELAWARE VALLEY ACO

RESOLUTION November 2, 2016

RE: Determination that Connectivity Support is Reasonably Related to the Purposes of the Medicare Shared Savings Program

WHEREAS, DVACO currently participates in the Medicare Shared Savings Program (“MSSP”) for a three-year period which began on January 1, 2014 and is expected to continue to participate in the MSSP for another three year term beginning on January 1, 2017;

WHEREAS, the U.S. Department of Health and Human Services' Centers for Medicare & Medicaid Services and Office of Inspector General have promulgated MSSP “pre-participation” and “participation” waivers (“Waivers”) that waive the application of the federal physician self-referral law, and the federal health care program anti-kickback statute as to certain financial arrangements involving MSSP ACOs;

WHEREAS, the Waivers require *inter alia* that the ACO’s governing body make and duly authorize a *bona fide* determination that the financial arrangements to be protected by the Waivers are reasonably related to the purposes of MSSP;

WHEREAS, the Waivers further require that the financial arrangements be disclosed on the ACO’s website within sixty days of the date of the arrangements;

WHEREAS, the purposes of the MSSP are promoting accountability for the quality, cost, and overall care for a Medicare patient population as described in the MSSP; managing and coordinating care for Medicare fee-for-service beneficiaries through an ACO; and encouraging investment in infrastructure and redesigned care processes for high quality and efficient service delivery for patients, including Medicare fee-for-service beneficiaries;

WHEREAS, the Board has considered the terms of an arrangement under which DVACO will provide in-kind and/or direct payments (“Connectivity Support”) to MSSP participants for the purpose of engaging vendors to construct interfaces that will connect the participants’ electronic medical record to DVACO’s Wellcentive population health system; and

WHEREAS, DVACO’s goals in providing the Connectivity Support is to enhance the accuracy and efficiency of DVACO’s quality reporting, care management and population health activities and to promote accountability for the quality, cost, and overall care of patients in the community that DVACO serves, including but not limited to Medicare beneficiaries attributed to DVACO in the MSSP, all of which are reasonably related to the purposes of the MSSP.

BE IT THEREFORE RESOLVED that the Board determines that the Connectivity Support is reasonably related to the purposes of the MSSP.

BE IT FURTHER RESOLVED that the Board approves the Connectivity Support and the public disclosure of the Connectivity Support on the DVACO website in a manner that satisfies all requirements of the Waivers.