

DELAWARE VALLEY ACO

RESOLUTION

April 3, 2017

RE: Approval of Provision of Home Care Services by Main Line Health Care HomeCare and Hospice (“MLHCH”) to all Medicare Beneficiaries Discharged with a Diagnosis of COPD or CHF from Main Line Health Hospitals who Choose to Receive Such Services from MLHCH

WHEREAS, DVACO currently participates in the Medicare Shared Savings Program (“MSSP”) for a three-year period which began on January 1, 2014;

WHEREAS, the U.S. Department of Health and Human Services' Centers for Medicare & Medicaid Services and Office of Inspector General have promulgated an MSSP “Patient Incentive” waiver (“Waiver”) that waives the application of the federal health care program anti-kickback statute, and the beneficiary inducement civil monetary penalty law as to the provision of certain items or services provided by MSSP ACOs, their participants and/or their provider/suppliers to Medicare beneficiaries;

WHEREAS, the Waiver requires, *inter alia*, that: (i) there be a reasonable connection between the items or services and the medical care of the beneficiary; (ii) the items or services are in-kind; (iii) the items, *inter alia*, advance adherence to a treatment regime, a drug regime or follow up care or advance the management of a chronic disease or condition;

WHEREAS, Main Line Health has collected and analyzed data demonstrating that patients who receive home care services from Main Line Health Care HomeCare and Hospice (MLHCH) have lower re-hospitalization and emergent care rates than the state and national averages and Congestive Heart Failure (“CHF”) patients discharged from Main Line Health hospitals who receive home care services from MLHCH have lower re-hospitalization rates than those who do not receive home care services from MLHCH;

WHEREAS, Main Line Health believes Medicare beneficiaries discharged from Main Line Hospitals with CHF and Chronic Obstructive Pulmonary Disease (“COPD”) who would not qualify for Medicare’s home health benefit (as they are not homebound) would still benefit significantly from home care visits, and such visits would advance such patients’ adherence to a drug and treatment regime and follow up care plan and would advance the management of such patient’s COPD and CHF, both of which are chronic conditions;

WHEREAS, in furtherance of the above purposes, MLHCH will provide home care visits to all Medicare beneficiaries patients discharged from Main Line Health Hospitals with CHF and COPD whether or not such patients qualify for the Medicare home care benefit and will provide such services to those beneficiaries who choose to receive such services from MLHCH in accordance with all Medicare freedom of choice requirements (“the Arrangement”); and

WHEREAS, the DVACO Care Coordination Committee approved the Arrangement at its March 14, 2017 meeting and recommended that the Board approve the Arrangement and the execution of an MSSP Participant Agreement to the extent necessary for MLHCH to qualify as an ACO Participant as required by the Waiver.

BE IT RESOLVED that the DVACO Board hereby approves the Arrangement.

BE IT FURTHER RESOLVED that the DVACO Board approves the execution of an MSSP Participation Agreement with MLHCH in a form reasonably satisfactory to DVACO management to the extent necessary for MLHCH to qualify as an ACO Participant as required by the waiver.