

Rainier Health Network Compliance Policy Updates

Compliance Policies to be Reviewed

MSSP Beneficiary Incentives

MSSP Beneficiary Notifications

MSSP Data Submission and Annual Certification

MSSP Marketing Materials and Voluntary Alignment

MSSP Non-Avoidance of Medicare At-Risk
Beneficiaries

MSSP Public Reporting Requirements

MSSP and CIN Record Retention

Beneficiary Referrals

Compliance Communications

MSSP Beneficiary Incentives

Purpose:

- The purpose of this policy is to detail the MSSP's policy and processes to ensure compliance with the Medicare Shared Savings Program Final Rule requirements related to the provision of beneficiary incentives.
- It is the policy of the MSSP to ensure compliance with state and federal regulations prohibiting the MSSP, its Participants, Providers/Suppliers, and other individuals or entities performing functions or services related to the MSSP's activities from providing any remuneration to beneficiaries as inducements for receiving, or continuing to receive, items or services.

Changes from Current Policy:

- No changes to the content

(NEW) MSSP Beneficiary Notifications

Purpose:

- The purpose of this policy is to detail the MSSP's policy and processes related to the requirement to provide beneficiary notifications.

Highlights of the Policy:

- Posters & Written Notices

MSSP Data Submission and Annual Certification

Purpose:

- The purpose is to outline the policies of the MSSP to comply with requirements established by CMS for the submission of quality data, certifications, and other information required of Participants in the MSSP.

Changes from Current Policy:

- No changes to the content

MSSP Marketing Materials and Voluntary Alignment

Purpose:

- The purpose of this policy is to outline the marketing materials and activity guidelines and approval process for MSSP to ensure compliance with CMS requirements. These are defined in the Medicare Shared Savings Program Final Rule.

Changes from Current Policy:

- Adding Voluntary Alignment section

MSSP Non-Avoidance of Medicare At-Risk Beneficiaries

Purpose:

- The purpose of this policy is to outline that the MSSP shall not avoid or underutilize care for at-risk patients in order to reduce costs and potentially increase Medicare savings payments to CommonSpirit Health. This includes denying or stinting on medically necessary services to at-risk patients.

Changes from Current Policy:

- No changes to the content

MSSP Public Reporting Requirements

Purpose:

- The purpose of this policy is to outline and define the MSSP's Public Reporting Requirements as outlined in the MSSP Final Rule and the Public Reporting Guidance released by the Centers for Medicare and Medicaid Services (CMS).

Changes from Current Policy:

- No changes to the content

Beneficiary Referrals

Purpose:

- The purpose of this policy is to outline the policies of the MSSP or CIN to comply with all laws pertaining to fraud, waste and abuse in federal and state health care programs, including Medicare and Medicaid. This includes compliance with the Physician Self-Referral Law (Stark Law) and the Anti-Kickback Statute. The MSSP or CIN, its Participants and Providers/Suppliers shall not engage in referrals prohibited by law or restrict referrals in a manner that is otherwise prohibited by law.

For MSSP there are no changes to the content of the current policy.

CIN Highlights of Policy:

- Federal and state laws make it unlawful to pay or give anything of value to any individual or entity in a manner that takes into account the value or volume of patient referrals or other business for which payment may be made in whole or in part under Medicare, Medicaid, or other federal or state health care program.
- As such, the CIN shall not solicit, receive, offer, or pay anything of value in exchange for referring patients, products, or services for which payment may be made under a federal or state healthcare program.
- In addition, the distribution or use of any savings under the CIN program shall not be based, either directly or indirectly, on referrals between the CIN, its Participants and Providers/Suppliers.

MSSP and CIN Record Retention

Purpose:

- The purpose of this policy is to provide a statement of the record retention policy for the ACO and CIN.

Changes from Current MSSP Policy:

- Addition of the CIN

CIN Highlights of Policy:

- CMS has the right to audit, inspect, investigate and evaluate any books, contracts, records, documents and other evidence of the MSSP and CIN and any MSSP and CIN Related Individual
- MSSP requirement to maintain records 10 years, with a possible additional 6 years
- CIN contract requirement to maintain records 10 years

(NEW) Compliance Communications

Purpose:

- The purpose of this policy is to outline CommonSpirit Health's guidelines regarding the development and distribution of MSSP or CIN Compliance Communications (Compliance Communications), as well as procedures to ensure that all MSSP or CIN Participants, Providers, and Suppliers are consistent with the stated policies.

Highlights of Policy:

- Health plan audit
- Communication on changes to the program, new or revised regulations, education

Approval of Compliance Policies

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CommonSpirit  **CommonSpirit Health Compliance Policies to Support the
ACOs/CINs**

- Standards of Conduct *Our Values in Action*
- Screening for Excluded Providers
- Conflicts of Interest Disclosures

Privacy Policies

- To be determined by the Privacy Department