

**AUTHORIZATION OF ACO PARTICIPATION WAIVER FOR HIGH-PRIORITY
AWV COMPLETION CHALLENGE**

WHEREAS, CMS has created an ACO Participation Waiver that waives the Stark Law and the Anti-Kickback Statute with respect to an arrangement set up by an ACO where that arrangement is reasonably related to the purposes of the MSSP, provided certain conditions are met;

WHEREAS, in order for an ACO to avail itself of the ACO Participation Waiver, the ACO's governing body must make and duly authorize a *bona fide* determination, consistent with the governing body members' duty under 42 CFR 425.106(b)(3), that the arrangement is reasonably related to the purposes of MSSP; and

WHEREAS, as the governing body of Aledade Accountable Care Delaware, LLC (the "ACO"), the Board of Managers (the "**Board**") has been presented with and had an opportunity to consider thoughtfully and discuss a "TCM Completion Challenge" arrangement with ACO participating practices (that arrangement, the "**Arrangement**"). **NOW, THEREFORE, BE IT RESOLVED**, that the Board, in its *bona fide* determination, approves the Arrangement as reasonably related to the purposes of the MSSP, in that, by incentivizing the completion of Transitional Care Management Visits ("**TCMs**"), the Arrangement:

- a) Promotes evidence-based medicine and patient engagement;
- b) Promotes care coordination, such as through the use of telehealth, remote patient monitoring, and other enabling technologies;
- c) Contributes to meeting the quality performance standards of the Shared Savings Program;
- d) Promotes evaluating health needs of the ACO's assigned population; and
- e) Facilitates the communication of clinical knowledge and evidence-based medicine to beneficiaries.

RESOLVED FURTHER, that the terms of the Arrangement are as follows:

The ACO will operate a "TCM Completion Challenge" (the "**Challenge**") from November 1, 2017 to November 30, 2017 in order to encourage the completion and coding of TCMs. The ACO will use claims billed data to calculate which ACO participating practice has the highest percentage of TCM visits completed. The ACO will announce its determination of the "winning" practice at the end of December 2017. The self-identified "TCM Champion" at each practice will be provided with a

gift card from a merchant of their choice. The first-place practice will receive a \$100 gift card, second place a \$75 gift card, and third place a \$50 gift card.