

January 18, 2019

The Honorable Seema Verma  
Administrator  
Centers for Medicare & Medicaid Services  
U.S. Department of Health and Human Services  
Hubert H. Humphrey Building, Room 445–G  
200 Independence Avenue, SW  
Washington, DC 20201

Re: Extending the Medicare Shared Savings Program Application Deadline

Dear Administrator Verma,

The undersigned organizations write today to express our concern with the application deadline of February 19, 2019 for Accountable Care Organizations (ACOs) applying to participate in the Medicare Shared Savings Program (MSSP) beginning July 1, 2019. Due to the complexity of CMS's new final rule for the program published in the Federal Register on December 31, 2018, many existing ACOs and those in the process of formation are still actively working to understand how they may successfully participate in the program. Additional time is needed to ensure ACOs may evaluate their options and complete the administrative and legal requirements of the application. Without additional time, participation in this voluntary program will suffer.

While we appreciate the Agency's effort to provide a six-month participation period in the latter half of 2019 for MSSP ACOs, many have informed us it will be challenging, if not impossible, to meet CMS's February 19 deadline. ACOs are not typically a single entity but rather a network of different providers affiliated under the legal umbrella of the ACO including physician groups, hospitals, and skilled nursing facilities. To be successful, ACOs need time to obtain buy-in from ACO entity participants, boards and leadership regarding new or continued participation. Some ACOs can include nearly 200 unique sets of providers and must secure sign-on from multiple boards and governing bodies before finalizing applications. ACOs must engage with actuaries to determine participation options under the agency's final rule, options which are difficult to determine given the complexity of the changes and the agency's decision to move ACOs into risk faster. Further, the accelerated pathway to risk requires many applicants to seek guarantees with financial organizations unfamiliar with the MSSP and requiring personal guarantees from often hundreds of signers.

We understand the time constraints CMS must operate within but ask that you keep in mind that this truncated timeline could harm program participation and we encourage the agency to consider a March 29, 2019 deadline. Our recommendation reflects our unified desire to see the MSSP maintain long-term sustainability necessary to enhance care coordination for millions of Medicare beneficiaries, lower the growth rate of healthcare spending and improve quality in the Medicare program.

Thank you for your attention to this matter and your efforts to transform health care delivery. We look forward to working with CMS as it continues to shift our system away from one that rewards volume and toward one that rewards value and await your response.

Sincerely,

American Academy of Family Physicians (AAFP)  
American College of Physicians (ACP)  
America's Essential Hospitals  
American Hospital Association (AHA)  
American Medical Association (AMA)  
America's Physician Groups (APG)

Association of American Medical Colleges (AAMC)  
Federation of American Hospitals  
Health Care Transformation Task Force (HCTTF)  
Medical Group Management Association (MGMA)  
National Association of ACOs (NAACOS)  
Premier