

## Meeting #5

**Date: November 18, 2015 1:00 PM**

**Location: School of Public Health, Albany, NY**

### Attendees:



TD II Subcommittee  
Attendance\_Meeting 5

### Overview

This was the fifth meeting for the Technical Design II Subcommittee (SC). The purpose of the meeting was to review the VBP Innovator Program recommendation (see agenda below), provide updates and address any questions or concerns.

The specific agenda for this meeting included the following:

1. Review of Recommendation: What should be the criteria and policies for the VBP Innovator Program?
2. Update on the Quality and Outcome measures in the TCTP arrangement
3. Update on Workforce Measures

**Key Discussion Points** (Reference slide deck “Technical Design II Subcommittee Meeting #5”)

#### **1) Review of Recommendation: What should be the criteria and policies for the VBP Innovator Program?**

The co-chairs opened the meeting with a review of the recommendations that the SC had previously developed on the VBP Innovator Program. At the very beginning of the discussion it was made clear that the Innovator program is voluntary for the providers to participate in but the MCOs would be obligated to support their Innovators. It was mentioned that this clarification would also be included in the updated Managed Care Model Contract. Questions and concerns were addressed for each component during the discussion as outlined below:

##### *Component 1: Program Eligibility*

The SC maintained that the Program Eligibility should include high risk Level 2 and Level 3 for TCTP or Subpopulation arrangements. The Innovator also needs to be a single system, such as an ACO or IPA.

##### *Component 2: Applicant Review Process*

There was no further discussion or changes for Component 2.

##### *Component 3: Criteria for Participation*

When the discussion moved to the Criteria for Participation, a question was raised regarding network requirements, specifically the requirement of providing the full continuum of care. The concern was that most plans subcontract dental services, so the question was whether dental services could be excluded. The response was that providers could choose to state in contracts whether they would like to exclude dental services from their arrangements.

#### *Component 4: Appeals process*

The SC was reminded that the State would be actively engaged to resolve issues that arise with the Innovator Program, and that the SC did not recommend having a formalized appeals process. It was mentioned that the VBP Workgroup will continue to monitor the process throughout the VBP implementation period and if needed, revisit the need for a formal appeals process.

#### *Component 5: Innovator Program Benefits*

The Subcommittee revisited the administration function delegation matrix, which illustrated the possible delegation of administrative functions between plans and providers in order to help determine the percentage of the premium pass-through that would be moved to providers – the more they would take on, the higher the percentage would be, and vice versa. A question was asked on a situation where a plan and an Innovator cannot not come to an agreement with the delegation of administrative functions, especially those that may have to be shared. It was stated that the plan and the Innovator would have to make an effort to work it out, but if not, the State may offer assistance. If this lack of agreement happens more often than expected, then the VBP Workgroup may reassess the process to determine if a formal procedure should be implemented. The current recommendation is meant to give flexibility in defining what “shared” means. The plan and the Innovator need to realistically determine what works best for them and what functions can be delegated in their arrangement.

#### *Component 6: How is the Innovator’s performance measured?*

The SC reinforced the decision that there should not be any unique measures for the Innovator Program and that the performance measurements for the Innovators should be aligned with the existing DSRIP and other applicable measures such as SHIP measures. It was noted that the Innovator Program would still have to meet the performance expectations that CMS approved for DSRIP.

#### *Component 7: What is the status maintenance and contract termination/program exit criteria?*

It was agreed upon during the SC meeting that the probation timeline of 6-12 months was appropriate. The SC also clarified that if an Innovator was unable to maintain the Innovator status, they would still be able to participate in regular VBP agreements. Lastly, the SC renamed the “cooling off” period to the “transition” period.

There was a general Innovator Program question of how out of network payments will be distributed if an Innovator receives total capitation payments. It was mentioned that there would have to be contract language clarifying what would happen to out of network payments by the Innovator in the VBP agreement. Two possible options were provided: (1) the plan can maintain enough of the premium to pay the out of network provider or (2) the Innovator would opt to have the out of network provider paid separately. Other examples were delivered over the phone by the Montefiore representatives describing how they currently interact with out of network providers to illustrate that there is a variety of options to overcome this hurdle.

## 2) Update on the Quality and Outcome measures in the TCTP arrangement



It was recapped to the SC members that in the previous meeting they were given a comment period to provide feedback and categorize the suggested measures into three categories based on their relevance. The exercise was to assist in identifying the measures that should eventually be employed. The criteria for selecting quality measures includes clinical relevance, reliability and validity, and feasibility. There were approximately ten responses during the comment period, which was insufficient for a robust analysis given the number of members in the SC (~70 members). The co-chairs decided to extend the comment period to collect more responses. Due date for was set to December 1<sup>st</sup>.

There was an inquiry by a SC member as to how the comments will be integrated into the TCTP measurements. It was communicated that a time is being reserved for a teleconference meeting on December 9<sup>th</sup> to review the SC's TCTP measures feedback. The comments will be distributed prior to the meeting as well as sent to the VBP Workgroup for consideration.

## 3) Update on Workforce Measures

An update of the workforce measures included that the discussion with the 1199 union on workforce measures will continue. It was decided that there is not enough information today to gauge a robust understanding of what measures would be most feasible and valuable to collect. The VBP Workgroup and 1199 will give more time and will come back to this topic in the future. A SC member brought to the subcommittee's attention that there was a Regulatory Flexibility Bill (CH 444) signed in 2011 that allows for innovations and efficiencies in agency staffing, procedures and operations that has been dormant. The member suggested reviewing this bill to understand if it could be of any assistance to the workforce conversation. Ultimately, it was indicated that PPSs have a role in DSRIP's workforce development and they are fully taking action in making workforce more efficient.

### Materials that have been distributed during the meeting:

#	Document	Description
1	Technical Design II Subcommittee Meeting #5  NYS VBP_Technical Design II_Meeting 5_P	A presentation deck providing the following: a continued discussion on the Innovator Program, an update on quality and outcome measurements for TCTP arrangements, and an update for workforce measures.
2	Meeting #4 Summary  Meeting 4_VBP Tech Design II_Summary_1C	Meeting minutes and a review of decisions made during the last meeting.



3	Draft Recommendations for the Innovator Program.	Recommendation for the Innovator Program.
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**Key Decisions**

Prior to the next SC conference call, Subcommittee members will receive the draft recommendation on the Quality and Outcome measures for the TCTP arrangements. The recommendation will include the feedback submitted by December 1<sup>st</sup>.

**Conclusion**

The next meeting will likely take place as a teleconference at 11:00 am on December 9, 2015. Subcommittee members will be notified if any changes in the meeting schedule or logistics occur.

During the next meeting, the SC will review and finalize the recommendations made on the TCTP arrangement measures.