

Initial Beneficiary Notifications

Effective Date: 10/24/2017

Draft/Review Date: 10/24/2017

Policy

- A. It is the policy of the ACO to provide notification to Beneficiaries at the point of care that their Providers/Suppliers are participating in the Shared Savings Program and of the opportunity to decline claims data sharing under 42 CFR §425.708.

Applicability

This policy and procedure applies to all Participants, Providers/Suppliers, and other individuals or entities performing functions or services related to the ACO's activities.

Procedure

- A. Beneficiaries receive notification about the Shared Savings Program and the opportunity to decline claims data sharing and instructions on how to inform CMS directly of their preference. This notification is completed as follows:
 1. Posters: Posters are provided by the ACO to hang in provider's offices that inform Beneficiaries that those providers are participating in the ACO. The offices display the posters in prominent places such as waiting areas.
 2. Written Notices: Standardized written notices are provided by the ACO. These notices are available in each Provider/Supplier office upon request by any individual.
 3. The ACO uses template language developed by CMS for the posters and written notices described in this policy. Template language is used without modification.
 - a. Posters and written notices are submitted to CMS, as required, but do not require the five day "file and use" waiting period described in the ACO's Oversight of Marketing Materials Policy.
- B. These notifications state that the ACO may have requested Beneficiary identifiable claims data about the Beneficiary for purposes of its care coordination and quality improvement work, and inform the Beneficiary how to decline having his or her claims information shared with the ACO in the form and manner specified by CMS.
- C. Beneficiary requests to decline claims data sharing will remain in effect unless and until a Beneficiary subsequently contacts CMS to amend that request to permit claims data sharing with the ACO.
- D. The opportunity to decline having claims data shared with an ACO does not apply to the information CMS provides to ACOs under 42 CFR §425.702(c).
- E. CMS does not share Beneficiary identifiable claims data related to the diagnosis and treatment of alcohol and substance abuse without the explicit written consent of the Beneficiary.

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Reporting

- A. All reports related to data sharing must be sent to CHS.

Related Documentation

- A. 42 CFR §425.312, §425.702(c)
- B. ACO Terms & Definitions Policy
- C. Oversight of Marketing Materials

Additional Guidance

Medicare contact information: 1-800 MEDICARE (1-800-633-4227). TTY users should call 877-486-2048; www.medicare.gov/acos.html.