



AFFORDABLE CARE ACT MASSACHUSETTS IMPLEMENTATION UPDATE

October 17, 2016

Quick Links

[MA-ACA Website](#)



These Updates, published by the Executive Office of Health and Human Services (EOHHS) in consultation with the other state agencies involved in ACA implementation, will bring you news related to the implementation of provisions of the ACA here in Massachusetts.

Grants and Demonstrations

The ACA provides funding opportunities to transform how health care is delivered, expand access to care and support healthcare workforce training.

Grant Announcements

10/12/16 Patient-Centered Outcomes Research Institute (PCORI) announced two funding opportunities focused on opioids and multiple sclerosis.

PCORI is now accepting letters of intent for their Cycle 3 targeted funding opportunities. Funding is available for two opportunities for states, local governments, universities or private agencies to apply. First, \$30 million is available for studies comparing two or more strategies to treat multiple sclerosis (MS), focusing on therapeutic effects, quality of life, and functional status. In 2015, PCORI awarded grants to four research teams including: Karolinska Institute in Sweden, University of Alabama at Birmingham, University of California at San Francisco, and the Foundation of the Carlo Besta Neurological Institute in Milano, Italy.

The second opportunity will provide \$19 million for studies of clinical strategies for reducing or eliminating opioid use while managing pain or strategies used to limit dose escalation. In 2015, PCORI awarded grants to research teams at the University of Minnesota and the University of Wisconsin through this targeted funding.

Letters of Intent for both opportunities are due November 1, 2016.

Created under ACA §6301, PCORI is an independent nonprofit organization, tasked with conducting patient-centered outcomes and studies.

View the announcement at: PCORI.ORG

To learn more about PCORI, visit: PCORI.ORG

Grant Activity

For information about ACA grants awarded to and grant proposals submitted by the Commonwealth, visit the Grants page of the **Massachusetts National Health Care Reform website** at: <http://www.mass.gov/eohhs/gov/commissions-and-initiatives/healthcare-reform/national-health-care-reform-plan/grants-and-demonstrations.html>

Guidance

10/11/16 HHS/CMS issued a notice under the Privacy Act of 1974 that announces the establishment of a Computer Matching Program that CMS plans to conduct with the Office of Personnel Management (OPM).

The purpose of the Computer Matching Agreement is to establish the terms, conditions, safeguards, and procedures under which OPM will provide records, information, or data to CMS for verifying eligibility for Minimum Essential Coverage through an OPM Federal Employees Health Benefits Plan.

Comments are due within 30 days after publication of the notice in the Federal Register.

Read the notice at: <https://www.gpo.gov/fdsys/pkg/FR-2016-10-11/pdf/2016-24387.pdf>

10/7/16 HHS/CMS issued a notice under the Paperwork Reduction Act of 1995 (PRA) seeking comments on two information collection activities.

Comments are due November 7, 2016.

Read the notice at: <https://www.gpo.gov/fdsys/pkg/FR-2016-10-07/pdf/2016-24341.pdf>

In item #1, HHS/CMS is seeking comments on a new information collection activity related to The Health Insurance Enforcement and Consumer Protections Grant Program.

ACA §1003 adds a new requirement that the HHS Secretary, in conjunction with the states, establish a process for the annual review of health insurance premiums to protect consumers from unreasonable rate increases. The [rate review program](#) under §1003 requires that insurers seeking rate increases of 10% or more for non-grandfathered plans in the individual and small group markets publicly and clearly disclose the proposed increases and the justification for them. Such increases are reviewed by either state experts (or by federal experts in states that do not have a rate review program deemed effective by HHS) to determine whether they are unreasonable. The statute provides that health insurance issuers must submit to the HHS Secretary and the applicable state justifications for unreasonable premium increases prior to the implementation of the increases. Beginning with plan years beginning in 2014, the HHS Secretary, in conjunction with the states, shall monitor premium increases of health insurance coverage offered through an Exchange and outside of an Exchange.

The HHS Secretary must also implement a program to award grants to states for this purpose. Furthermore, the law specifies that any appropriated Rate Review Grant funds that are not fully obligated by the end of FY 2014 shall remain available to the HHS Secretary for grants to states for planning and implementing the insurance market reforms and consumer protections under the ACA. The notice outlines the reporting requirements that states receiving grant funding must complete.

In item #3, HHS/CMS is seeking comments on the extension of a currently approved information collection activity related to Medicare Program/Home Health Prospective Payment System Rate Update for Calendar Year 2010: Physician Narrative Requirement and Supporting Regulation.

Section(o) of the Social Security Act (42 U.S.C. 1395x) specifies certain requirements that a home health agency must meet to participate in the Medicare program. ACA §6407(a) amends the requirements for

physician certification of home health services contained in Sections 1814(a)(2)(C) and 1835(a)(2)(A) by requiring that, prior to certifying a patient as eligible for Medicare's home health benefit, the physician must document that the physician himself or herself or a permitted non-physician practitioner has had a face-to-face encounter (including through the use of tele-health services, subject to the requirements in section 1834(m) of the Act)," with the patient. ACA §6407(a) does not amend the statutory requirement that a physician must certify a patient's eligibility for Medicare's home health benefit.

Prior guidance can be found at: www.hhs.gov/healthcare/index.html

Bookmark the **Massachusetts National Health Care Reform website** at: [National Health Care Reform](#) to read updates on ACA implementation in Massachusetts.

Remember to check the Mass.Gov website at: [Dual Eligibles](#) for information on the "**Integrating Medicare and Medicaid for Dual Eligible Individuals**" initiative.



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