



**COMMONWEALTH OF MASSACHUSETTS**  
**Office of Consumer Affairs and Business Regulation**  
**DIVISION OF INSURANCE**

1000 Washington Street, Suite 810 Boston, MA 02118-6200  
(877) 563-4467 tollfree • fax (617) 521-7771  
<http://www.mass.gov/doi>

**RISK BEARING PROVIDER ORGANIZATIONS**

**Risk Certificate Waiver and Risk Certificate Application Information  
Application Forms**

**Lists of Certified Risk Bearing Provider Organizations and Risk-Bearing  
Provider Organizations that Received Waivers**

***Application Information***

The Massachusetts Division of Insurance (the "Division") has promulgated its newest regulation [211 CMR 155](#) et seq., "Risk-Bearing Provider Organizations" (the "Regulation"). The Division drafted this Regulation in furtherance of its responsibility to implement the requirements of Massachusetts General Law Chapter 176T ("Chapter 176T") concerning Risk-Bearing Provider Organizations ("RBPO") in a manner that will promote the development of alternate payment contracts ("APC") containing downside risk while establishing appropriate safeguards for Massachusetts' health care delivery system and the patients it serves.

Chapter 176T mandates that the Division must "certify" provider organizations on an annual basis that take on certain financial risk through alternative payment contracts with insurance carriers. The purpose of this certification is ensure that provider organizations entering into alternate payment contracts with downside risk do not assume excessive financial risk that could threaten their financial solvency.

The Division has issued [Bulletin 2014-05](#), entitled "Guidelines on Submitting Filing Materials Relative to the Certification of Risk-Bearing Provider Organizations Under Chapter 176T of the General Laws and 211 CMR 155.00" ("Bulletin"). The Bulletin is intended to provide additional guidance with respect to the requirements of provider organizations when applying for Risk Certificates or Risk Certificate Waivers as required by Chapter 176T and the Regulation, along with the dates when applications for Risk Certificates or Risk Certificate Waivers will be due in 2014 and beyond.

The Division held four regional information sessions in 2014 in order to assist providers with their waiver and risk certificate applications. For those who were unable to attend the sessions or for those looking for a copy of the presentation given at those sessions, you may click [here](#) to see the presentation. Several of the key questions and answers from those sessions can be also found [here](#).

The Division has also issued a sub-regulatory guidance document, entitled "Guidelines for Conducting Independent Reviews of Risk-Bearing Provider Organizations in Conjunction with the Application for Risk Certificates for the Term Beginning March 1, 2015" ("Guidelines"). [The Guidelines](#) identify the process of review that the Division would consider acceptable *only* during the first year of the transition to full implementation of the RBPO certification process with respect to Risk Certificates that are

effective beginning March 1, 2015, in lieu of the submission by RBPOs of formal actuarial certifications pursuant to the requirements set forth in Chapter 176T and the Regulation.

With respect to *only* those applications for Risk Certificates that are effective beginning March 1, 2015, the Division will consider it acceptable if a professional that is independent from the RBPO – an actuary or other financial professional – follows the review process described in the Guidelines.

*Please note:* Applications for Risk Certificates and Risk Certificate Waivers for the Annual Term beginning March 1, 2015, will be accepted on a rolling basis during 2015. For renewal applications for Risk Certificates and Risk Certificate Waivers for the Annual Term beginning March 1, 2016, all renewal applications for Risk Certificate Waivers will be due by August 15, 2015; renewal applications for Risk Certificates will be due by November 15, 2015. *Initial* applications for Risk Certificate Waivers for the Annual Term beginning March 1, 2016, will be accepted on a rolling basis beginning August 15, 2015; *initial* applications for Risk Certificates for the Annual Term beginning March 1, 2016, will be accepted on a rolling basis beginning November 15, 2015.

### ***Application Forms***

As noted in the Bulletin, an RBPO may apply for a Risk Certificate Waiver if the RBPO believes that it does *not* have significant downside risk in its current or anticipated APCs. A suggested Form Application for Risk Certificate Waiver for the Annual Term Beginning March 1, 2015 can be found [here](#) . An RBPO that has downside risk in its current or anticipated APCs and that is *not* eligible to receive a waiver, must apply for a Risk Certificate from the Division. A suggested Form Application for Risk Certificate for the Annual Beginning Term March 1, 2015 can be found [here](#)

### ***List of Certified Risk-Bearing Provider Organizations and List of Risk-Bearing Provider Organizations that Received Waivers***

The list of those RBPOs that were granted Risk Certificates by the Division for the annual term beginning March 1, 2015, and are now considered to be “certified” by the Division for this term, and the list of those RBPOs that were granted Risk Certificate Waivers for the annual term beginning March 1, 2015 can be found [here](#). These lists are current as of March 1, 2015; the lists will be updated on a monthly basis or as needed.

3.2.15