



AFFORDABLE CARE ACT MASSACHUSETTS IMPLEMENTATION UPDATE

February 25, 2014

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.

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

2/24/14 IRS/Treasury/HHS issued Final Regulations titled "Ninety-Day Waiting Period Limitation and Technical Amendments to Certain Health Coverage Requirements Under the Affordable Care Act"

These final regulations implement the 90-day waiting period limitation under section 2708 of the Public Health Service Act, as added by the Affordable Care Act (§1201), as amended, and incorporated into the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code. These regulations also finalize amendments to existing regulations to conform to the ACA. Specifically, these rules amend regulations implementing existing provisions such as some of the portability provisions added by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) because those provisions of the HIPAA regulations have become superseded or require amendment as a result of the market reform protections added by the ACA. These final regulations provide that a group health plan, and a health insurance issuer offering group health insurance coverage, may not apply a waiting period that exceeds 90 days.

The 90-day waiting period limitation provisions of these final regulations apply to group health plans and

group health insurance issuers for plan years beginning on or after January 1, 2015. The amendments made by these final regulations to the evidence of creditable coverage provisions of 26 CFR 54.9801-5, 29 CFR 2590.701-5, and 45 CFR 146.115 apply beginning December 31, 2014. All other amendments made by these final regulations apply to group health plans and health insurance issuers for plan years beginning on or after April 25, 2014. Until the amendments to the existing HIPAA final regulations become applicable, plans and issuers must continue to comply with the existing regulations, as applicable.

Read the Final Regulations here: <http://www.gpo.gov/fdsys/pkg/FR-2014-02-24/pdf/2014-03809.pdf>

These final regulations update earlier temporary guidance that can be found here:

<http://www.irs.gov/pub/irs-drop/n-12-17.pdf> and here: <http://www.irs.gov/pub/irs-drop/n-12-59.pdf> and the March 21, 2013 proposed regulations at: <http://www.gpo.gov/fdsys/pkg/FR-2013-03-21/pdf/2013-06454.pdf>

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

News

2/14/14 CMS/HHS announced an open period for additional organizations to be considered for participation in Models 2, 3, and 4 of the Bundled Payments for Care Improvement (BPCI) Initiative under ACA §3021.

The initiative is designed to test how bundling payments for episodes of care can lower costs for Medicare and improve outcomes for beneficiaries. Under the BPCI models, organizations enter into payment arrangements that include performance and financial accountability for episodes of care. The program aligns payments for services delivered across an episode of care, such as heart bypass or hip replacement, rather than paying for services separately as Medicare currently does. Bundled payments are intended to give doctors and hospitals new incentives to coordinate care, improve the quality of care and save money for Medicare.

Acute care hospitals, skilled nursing homes, physician group practices, long-term care hospitals, and home health agencies are examples of organizations that have entered into agreements to participate in the BPCI initiative.

The BPCI initiative outlines 4 models of care. Models 1-3 involve a retrospective bundled payment, with a price for a defined episode of care, and Model 4 would be paid prospectively. Phase 2 of Models 2 through 4 began testing in October 2013.

Model 2 is defined by CMS as retrospective bundled payment models for hospitals, physicians, and post-acute providers for an episode of care consisting of an inpatient hospital stay followed by post-acute care. CMS defined Model 3 as retrospective bundled payment models for post-acute care where the episode does not include the acute inpatient hospital. Model 4 are prospectively administered bundled payment models for the acute inpatient hospital stay and related readmissions.

Applications are due April 18, 2014.

Read the Federal Register Notice at: <http://www.gpo.gov/fdsys/pkg/FR-2014-02-14/pdf/2014-03311.pdf>

Read more about the BPCI Initiative at: [Bundled Payments](#)

2/3/14 National Organizations for State and Local Officials (NOSLO) funding announcement released, Public Health Service Act §311(a). Funding opportunity announced February 3, 2014. The purpose of the NOSLO cooperative agreement is to improve health, promote a skilled healthcare workforce, and achieve health equity for communities. Selected projects will address program priorities for the U.S. Department of Health and Human Services, such as the implementation of the ACA at the state and local

level, and ways in which the ACA provisions can assist states and local governments to achieve improved outcomes for beneficiaries and better services and value for state Medicaid programs. Eligible applicants include nonprofit service and/or membership organizations that can provide training and technical assistance on a national level to strengthen the infrastructure capacities of states and local government entities.

\$2,000,000 in total for 4 awards available.

Applications are due March 31, 2014.

The announcement may be viewed at:

<https://grants.hrsa.gov/webExternal/SFO.asp?ID=e7d2087f-cd31-4138-9951-df7d40f78b2e>

2/3/14 Ryan White HIV/AIDS Program National Training and Technical Assistance Cooperative Agreements - Establishing AIDS Service Organization Service Models and Engaging in Marketplace Insurance Plans under the Affordable Care Act. Grant funding opportunity announced February 3, 2014. Funding is available under the Ryan white HIV/AIDS Treatment Extension Act to support two organizations to undertake a series of activities to provide ACA implementation support to Ryan White grantees and people living with HIV/AIDS served by the Ryan White HIV/AIDS Program. Eligible applicants include public, nonprofit, and private entities, faith-based and community-based organizations, schools, and academic health science centers. \$570,000 in total for two awards available.

Applications are due March 6, 2014.

The full announcement can be viewed at:

<https://grants.hrsa.gov/webExternal/SFO.asp?ID=87f91c64-8180-46f3-8a91-5ba808739578>

Commonwealth of MA News

Upcoming Events

Integrating Medicare and Medicaid for Dual Eligible Individuals (also known as One Care) Implementation Council Meetings

Friday, February 28, 2014
11:00 AM-1:00PM
1 Ashburton Place, 21st Floor
Boston, MA

Friday, March 28, 2014
1:00 PM -3:00 PM
1 Ashburton Place, 21st Floor
Boston, MA

MBTA and driving directions to 1 Ashburton Place are located here: www.mass.gov/anf

A meeting agenda and any meeting material will be distributed prior to the meeting.

Meetings of the Implementation Council are open to stakeholders and members of the public with an interest in One Care. Reasonable accommodations are available upon request. Please contact Donna Kymalainen at Donna.Kymalainen@umassmed.edu to request accommodations.

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.