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WEEK OF JANUARY 13, 2020

Welcome to America's Physician Groups' "Healthcare on the Hill," where you can get the latest on healthcare happenings in our nation's capital--and with a special focus on the value-based care movement. Here's what you will find in this week's edition:

- *Experience Matters: APG's Risk Evolution Task Force Enters Its Second Year*
- *Impeachment Begins: Silence all Cell Phones, Please*
- *ACA Update: Put It On the Rocket Docket*
- *A Surprise Billing Surprise!*
- *MedPAC Meets*
- *Register Today! APG Annual Conference 2020 in San Diego!*

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*Valinda Rutledge
Senior Vice President of Federal Affairs
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Experience Matters: APG's Risk Evolution Task Force Enters Its Second Year

APG's Risk Evolution Task Force (RETF) kicks off its second year as a learning collaborative created for APG members and dedicated to both accelerating the value movement and developing the next iteration of advanced Alternative Payment Models (advanced APMs). With regularly scheduled webinars, in-person meetings, and guest national experts from CMMI and CMS, the RETF is the perfect intersection of subject matter experts and data analytics in an environment where members share and learn best practices from one another.

"Data on our industry's performance towards value-based care is key," says Aneesh Chopra, President of CareJourney and former U.S. Chief Technology Officer under President Obama. Mr. Chopra lends his firm's expertise to assist Task Force members with the ability to access and use openly available data for analytics and benchmarking.

"As a Task Force, we're taking a holistic approach to new payment models," say Melanie Matthews and Niyum Gandhi, RETF co-chairs. "We're not just looking at Direct Contracting or Primary Care First. We dive deep into core competencies and benchmarking to help RETF members across all models."

At our most recent RETF webinar, we reviewed key decision points to be considered for Direct Contracting applicants, a Primary Care First Analysis calculator, and the next generation of Data Segmentation techniques needed to be successful in risk-based contracts.

Click [here](#) for more information about APG's Risk Evolution Task Force.

Congressional Corner

Silence all Cell Phones, Please

With nearly all senators sworn in (Oklahoma Senator Jim Inhofe will be sworn in next Tuesday), the impeachment trial of President Trump will begin in the U.S. Senate on Tuesday, January 21. Supreme Court Chief Justice John Roberts will preside over the trial.

During the trial, all senators must be present in their seats, and are not allowed to speak amongst each other, read materials, or use cell phones. In addition, the trial

will force three senators—Senator Klobuchar, Senator Sanders, and Senator Warren—from continuing to campaign in person for the Democratic presidential nomination.

We expect little activity to take place during the impeachment proceedings.

Put it on the Rocket Docket!

This week, economists, consumer groups, hospitals, and insurers joined Democratic state Attorneys General in calling for the Supreme Court to step in and review the recent Fifth Circuit Court of Appeals ruling on the Affordable Care Act (ACA). The groups seek a speedier decision on the ACA, noting that further delays create even more angst and indecision in the healthcare field.

As reported [here](#) earlier, the Fifth Circuit Court of Appeals ruled that the individual mandate requiring all Americans to have health insurance is unconstitutional. They then sent the case back to a federal district judge in a lower court to determine which parts of the law are “inseverable” from the rest. In non-lawyer language, it means what parts of the ACA can stand independent from the individual mandate.

This unique blend of concerned interest groups speaks to the uncertainty throughout healthcare due to the ACA hanging in limbo and illustrates why healthcare continues to be a major issue in Congress and elections.

Ways and Means Leaders Reveal Bipartisan Pathway Forward on Surprise Billing

Progress on surprise billing legislation took another step forward on Thursday as House Ways and Means Committee Chairman Richie Neal (D-MA) and Ranking Member Kevin Brady (R-TX) [announced a bipartisan agreement](#) to move forward with a legislative fix.

Key elements of the agreement include:

- Patient protections, including from out of pocket costs
- New transparency requirements around provider networks and costs
- An arbitration process when providers and insurers cannot reach agreement on a payment rate; the process will have conflict-of-interest protections, require timely decisions, and include clear criteria for payment resolution

- Disincentives for frivolous use of arbitration, such as fees paid by losing parties
- State pre-emption if a state has already enacted its own surprise billing laws

Separately, House Education and Labor Committee Chairman Bobby Scott (D-VA) has also indicated his Committee may add their own ideas to the mix. The challenge for Committee leaders will be forging a united path forward across all three Committees with jurisdiction over the subject.

At a press event this week, House Majority Leader Steny Hoyer (D-MD) noted the Committee differences were not insurmountable and expressed a strong desire to get this legislation done, in conjunction with other priority healthcare items, well before a May 22 deadline.

MedPAC's January Meeting

APG attended the Medicare Payment Advisory Commission (MedPAC) January [meeting](#) in Washington, DC this week. During the meeting, MedPAC discussed the proposal to eliminate the Medicare Advantage (MA) quality bonus program (QBP) and instead utilize a value incentive program (VIP) to save Medicare approximately \$6 billion annually. This savings would occur by moving from the current reward only program financed by added dollars to a budget-neutral system. The MA-VIP includes a smaller set of population-based measures, evaluation and distribution of rewards at the local level and using a peer grouping mechanism to account for differences in enrollees social risk factors.

APG Annual Conference 2020

Make sure you [register today](#) for America's Physician Groups Annual Conference 2020 The Value Movement Grows Up: What's Next? May 28-30 in San Diego. No matter where you are on the journey to risk, you'll find the keys to success at our Annual Conference 2020. [Register today!](#)

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