March 22 APG COVID-19 Member Update-3rd Edition

Dear APG Members:

We have been very busy advocating on behalf of your practices during this time of crisis. Below is a summary of our current actions. Please note that I will be sending out COVID-19 updates on a regular basis.

CMS Update on Quality Reporting and ACOs

Last week APG and Premier Inc. sent a joint letter to Department of Health and Human Services (HHS) Secretary Alex Azar and Centers for Medicare & Medicaid Services (CMS) Administrator Seema Verma in which they urged HHS to provide guidance on financial and quality mitigation policies for all quality programs and value-based arrangements in response to the challenges brought about by COVID-19. Please click here to view the letter.

On Sunday, in response to APG’s advocacy, CMS announced relief for providers participating in quality reporting programs which is greatly appreciated. For 2019 data submission, providers and ACOs can either delay submission until April 30, 2020 or choose to not submit any MIPS data and receive a neutral adjustment.

Additionally, we have been in communication with CMMI/CMS leadership regarding mitigation actions regarding value-based models. They have requested a letter from APG detailing several different interventions they could quickly implement. I will be convening a group this week to provide input into a letter. Please click here to email me if your organization would like to participate.

Finally, I will be giving an update on the latest from CMMI during an APG Alternative Payment Model (APM) Committee webinar this Tuesday, March 24 beginning at 1:00 pm ET/10:00 am PT. Click here to register for the webinar.

Congress Responds to COVID-19

Congress has responded to COVID-19 with three key pieces of legislation. First, Congress passed the Coronavirus Preparedness and Response Supplemental Appropriations Act in which $8.3 billion of funds were released to assist HHS,
States and the Small Business Administration. This legislation allowed HHS to begin deploying resources for testing and screening.

Second, Congress passed the *Families First Coronavirus Response Act* on March 18 which provides paid sick leave and free coronavirus testing, expands food assistance and unemployment benefits, and expands Medicaid funding.

Finally, both the Senate and House are moving quickly on a third piece of legislation primarily aimed at providing relief for small businesses and industries ravaged by COVID-19. Senator Schumer (D-NY) has requested that the bill include language that would provide both a low interest loan and a grant program for providers.

This weekend, we requested several of our members (with practices in Kentucky and Northern California) to send urgent messages to Senator McConnell (R-KY) and Minority Leader Kevin McCarthy (R-Calif.) requesting that language be included in the bill to facilitate a grant program for providers. I would like to personally thank many of you for taking time out of your Saturday and Sunday to send these emails. I continue to stay very close to this bill and will contact you if I need for specific practices to send additional messages.

**Telehealth Advocacy**

Medicare

CMS has published a superb [fact sheet](#) for Medicare telehealth services. However, we believed that additional modifications were needed to provide flexibility in telehealth. Thus, this weekend, APG sent letters to Secretary Azar and Administrator Verma outlining additional actions that are needed. These include:

- Expansion of Range of Communication Methods for Telehealth
- Lift requirement to have prior relationship with patient in order to utilize telehealth:
  - Allow use of Telehealth diagnoses for Risk Adjustment
- Modify the current Remote Patient Monitoring (RPM) regulations
- Allow licensed non-physicians to bill for telehealth visits
- Coronavirus Potential Impact on MA
Telehealth for HDHP (high-deductible health plans)
America's Physician Groups and America's Health Insurance Plans (AHIP) sent a joint letter to the U.S. Department of the Treasury and the Internal Revenue Service (IRS) requesting additional guidance on access to telehealth services for the more than 32 million Americans enrolled in high-deductible health plans (HDHPs) subject to IRS regulations. The letter highlights the importance of telehealth services in both mitigating COVID-19 and protecting our healthcare workers, who are on the front lines of this unprecedented global challenge. Please click here to view the letter.

Telehealth in ERISA Plans
We are working closely with the American Benefits Council (an association for Employee benefits) to develop a joint letter which will be directed to the Department of Labor (the Agency who oversees ERISA plans) requesting flexibility in expanding telehealth and waiving co-pays and deductibles. I will keep you in the loop as we develop the letter.

APG Convenes COVID-19 Advisory Committee

We have convened a COVID-19 Advisory Committee to tapped into our best resource—our members—to help give us real-time reports from the front lines of healthcare on what’s happening in communities across America. You can find a list of Advisory Committee representatives by clicking here. And as regulatory and policy changes in response to COVID-19 continue, this group of APG members will assist us in a rapid response strategy to ensure that we are communicating with top Federal officials regarding our members’ urgent concerns and issues.

Please find links to our previous APG COVID-19 Member Updates below:
March 17 APG COVID-19 Member Update
March 13 APG COVID-19 Member Update

We are here to serve as a resource for you. Please don’t hesitate to contact me here with any questions you may have or any situations within your practice that you want me to be aware of.
As always, please know that we are in constant contact with federal and agency officials and will share any additional news with you as soon as possible.

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America’s Physician Groups