

DOH RESPONSE TO COMMENTS TO THE TEMPLATE SNF AMENDMENT

Generally: These templates were drafted at the request of the MLTC plan trade associations and are solely to be used as an optional tool to assist plans who are getting started with VBP contracting.

- Use of the templates in any form is not mandatory.
- If the templates are used, they may be modified.
- The templates are not to be considered guidance.
- The templates are not intended to be inclusive of every possible VBP contracting arrangement between the parties.

I. DEFINITIONS

- One commenter asked why the template defines Attributed Enrollee if quality measures are calculated on a facility-wide basis.
 - *Response:* We deleted this definition.
- One commenter proposed that the terms Base Year and Baseline Measurement be added to the definitions.
 - *Response:* The definitions of Base Year and Baseline Measurement have not been added. Plans and providers may add definitions and negotiate the specific terms relating to their contracts.
- With respect to the definition of “PAH,” commenters asked whether the measure should refer to the Nursing Home Quality Initiative (NHQI) rather than the MLTC Quality Incentive (MLTC QI).
 - *Response:* The definition of PAH has been revised.

II. MEASURES

- One commenter recommended defining the base year and payment year for each measurement year.
 - *Response:* Such guidance will be coming shortly through a webinar hosted by the Department’s Division of Finance and Rate Setting.
- One commenter suggested adding a table listing all Category 2 measures with a column to check selected measures.
 - *Response:* Adding a table to list all Category 2 measures is an acceptable way for the parties to the contract to proceed if they wish. DOH did not add such a table to this version; however, the parties are free to modify this template.
- One commenter sought clarification of how attribution would be used for the SNF PAH.
 - *Response:* The PAH measure has been added for nursing homes as a Category 2 pay-for-performance measure to be computed at the facility level. DOH will calculate the NHQI PAH measure and supply it to MLTC plans for use with VBP Contractors.
- One commenter asked whether the calculations for all other Category 1 MLTC VBP measures would be based on attribution for SNFs.

- *Response:* In August 2017, Plans were requested to provide attribution for CHHA, LHCSA and SNF for the purpose of calculating the Category 1 MLTC VBP measures.
- One commenter asked whether DOH would calculate SNF Category 2 quality measures in 2017.
 - *Response:* MLTC VBP contracts are expected to be effective January 1, 2018 and do not have to be instituted retroactively to accommodate Measurement Year 2017.

III. VALUE BASED PAYMENT

- One commenter asked whether attribution should be included for SNF contracts as they are not relying on attributed residents for purposes of calculating quality measures.
 - *Response:* SNF contracts will rely on total number of residents and not attributed enrollees.
- One commenter suggested changing the template to use the language “base year rate” instead of “baseline” in the Baseline Section under Payment Methodology.
 - *Response:* Language used in the SNF template is not mandatory. Plans and providers may negotiate the specific terms of their VBP arrangements.
- Several commenters raised concerns regarding language that the PAH measure provided to MCOs in October 2017 for the period July to December 2016 serves as the basis of the baseline calculation. Rather, they suggested that the baseline calculation and any risk adjustments be agreed to by the plan, provider and Department.
 - *Response:* Baseline data will be provided by the Department, plans and providers may negotiate terms of their contract.
- One commenter asked whether SNF PAH data would be shared with MCOs in October 2017.
 - *Response:* Yes.
- One commenter suggested adding language to the contract where the actual baseline measurement for PAH and other measurements could be inserted.
 - *Response:* Plans and providers may negotiate the specific terms of their VBP arrangements and can include baseline measurement data where appropriate.
- Several commenters expressed concern with the language regarding “Future Comparisons for Individual MLTC Level 1 VBP Arrangements” and its reference to using the previous year’s PAH measurement as the baseline of comparison. They suggest allowing for payment methodologies based on comparisons to statewide or regional averages or other benchmarks.
 - *Response:* These templates were drafted at the request of the MLTC plan trade associations and are solely to be used as an optional tool to assist plans that are getting started with VBP contracting. Use of the templates is not mandatory and this language is not mandatory. This language is illustrative of how an MCO and a SNF may choose to implement a VBP arrangement. These templates are not guidance. Plans and providers may negotiate the specific terms of their VBP arrangements.
- One commenter questioned whether “Comparison for the Aggregated VBP Provider Program” under Payment Methodology should be included in relation to SNFs if they are measured on a facility basis.

- *Response:* All SNF contracts are required to be in an MLTC Level 1 VBP arrangement by 12/31/17. This template contains optional suggestions for aggregating SNFs with less than 30 residents to assist in meeting this goal.
- One commenter requested clarity regarding how funds for VBP arrangements are expected to flow to plans and then providers.
 - *Response:* Such guidance will be coming shortly through a webinar hosted by the Department's Division of Finance and Rate Setting.
- One commenter had concerns with including the Department's baseline because it has not yet been shared with plans. Other commenters had questions about how the baseline is calculated.
 - *Response:* The Department released the baseline measure in October. The PAH measure has been utilized in the NHQI and the methodology for calculation will not change.