

# Innovative Health Alliance of New York

*Policy No. 01*

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**EFFECTIVE DATE: 9/21/15**

**POLICY TITLE:**

***Avoidance of At-Risk Patients***

**REVIEW BY: 9/21/2017**

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**POLICY**

It is the Policy of Innovative Health Alliance of New York (IHANY) that IHANY and its ACO participants, ACO providers/suppliers, and other individuals or entities performing functions or services related to ACO activities will not take steps to avoid or underutilize care for at-risk patients in order to reduce costs to IHANY. {See SSA 1899(d)(3) and FR 67950} This includes denying or stinting on medically necessary services to at-risk patients.

**DEFINITIONS**

**ACO Participant** means an individual or group of ACO provider(s)/supplier(s) that is identified by a Medicare-enrolled Tax Identification Number (TIN), that alone or together with one or more other ACO participants comprise(s) and ACO, and that is included on the required list of ACO participants. [directly from CFR 425.20]

**ACO Provider/Supplier** means an individual or entity that is a provider or a supplier that is enrolled in Medicare, that bills for items or services it furnishes to Medicare fee-for-service beneficiaries under a Medicare billing number assigned to the TIN of an ACO participant, and that is included on the required list of ACO providers/suppliers. [directly from CFR 425.20]

**At-risk patient** means, but is not limited to, a beneficiary who: (1) has a high risk score on the CMS-HCC risk adjustment model; (2) is considered high cost due to having two or more hospitalizations or emergency room visits each year; (3) is dually eligible for Medicare and Medicaid; (4) has a high utilization pattern; (5) has one or more chronic conditions; (6) has had a recent diagnosis that is expected to result in increased cost; (7) is entitled to Medicare or Medicaid because of disability; or (8) is diagnosed with a mental health or substance abuse disorder. [CFR 452.20]

**RESPONSIBLE DEPARTMENT**

Further guidance concerning this Policy may be obtained from the Integrity and Compliance or Legal Departments.

## **RELATED PROCEDURES AND OTHER MATERIALS**

- 42 C.F.R. § 452.20. Definition of At-Risk Beneficiary
- 42 C.F.R. § 425.316. Monitoring of ACO avoidance of at-risk beneficiaries.

## **APPROVALS**

**Initial Approval:** Board of Directors 9/21/15

**Subsequent Review/Revision(s):**

4/16/2018 – reviewed