

NAACOS Alert: Centers for Medicare & Medicaid Services (CMS) Makes Further Changes to MSSP Amid COVID-19 – Thursday, April 30, 2020 12:43pm

The Centers for Medicare & Medicaid Services (CMS) this afternoon released another [interim final rule](#) providing support for providers during the ongoing COVID-19 public health emergency (PHE). Like a previous interim final rule published on March 30, CMS offers some relief to ACOs in the Medicare Shared Savings Program (MSSP). The rule expands the availability of telehealth coverage. CMS also released [more waivers](#) for providers during the PHE. CMS issued a [press release](#) on the changes.

The rule:

- Adjusts MSSP calculations to mitigate the impact of COVID-19 on ACOs by removing payment amounts for episodes of care (as identified by inpatient care for treatment of COVID-19) from MSSP performance year expenditures, while making updates to the historical benchmarks and revenue calculations for determining loss sharing limits for certain ACOs.
- Allows ACOs whose current agreement periods expire on December 31, 2020, the option to extend their existing agreement periods by one year (ACOs extending their agreements for an additional year would remain under their existing historical benchmarks for an additional year).
- Allows ACOs in the Basic Track's glide path the option to elect to maintain their current level of participation for performance year 2021, therefore not assuming higher levels of risk.
- Alters the extreme and uncontrollable circumstances policy to specify that the PHE began in January 2020.
- Includes services provided virtually, through telehealth, virtual check-ins, e-visits or telephone, in the definition of primary care services used in the MSSP assignment methodology, effective January 1, 2020, and for any subsequent performance year that starts during the PHE.
- Increases reimbursement for newly introduced audio-only telehealth services.
- Waives the video requirement for certain evaluation and management services delivered via telehealth.
- Eases regulatory requirements for COVID-19 testing, while increasing the availability to get reimbursed for COVID-19 testing.

NAACOS is reviewing today's interim final rule and will release more information, including a summary, later.