

ACO Participation Waiver – The Ohio State Health ACO, LLC

Medicare Shared Savings Program Waivers of the Fraud and Abuse Laws

Required Public Disclosures

The Centers for Medicare and Medicaid Services and the U.S. Department of Health and Human Services' Office of Inspector General have provided certain waivers of federal fraud and abuse laws in connection with the operation of accountable care organizations that have entered into a pre-participation agreement under the Medicare Shared Savings Program ("MSSP").

In order to receive the benefit of such waivers the Board of Managers of The Ohio State Health ACO, LLC ("ACO") made a bona fide, detailed determination that the following start-up arrangements between The Ohio State University Wexner Medical Center ("OSU"), a Participant in the ACO, and all other ACO Participants who exist under the corporate parent Ohio State University Physicians, Inc. ("OSUP"), and which have assigned their tax identification numbers to the ACO for purposes of participation in the ACO and MSSP, are reasonably related to the purpose of the MSSP and is publically disclosing such arrangements in accordance with the requirements of the MSSP.

- Infrastructure creation and provision; development of operational systems; administrative support; office space and supplies; and marketing and communications development and support.
- Management, operational, and clinical expertise, time, and work product, including staff and leadership experienced in these areas, and tools and resources necessary for design, implementation and configuration of service delivery networks, clinical management systems; quality improvement mechanisms; governance and management structure; care utilization pathways; and creation of incentives for performance-based payment systems.
- Hiring of new clinical and administrative staff, where determined necessary for purposes of fulfilling the purposes of the ACO and MSSP.
- Development and maintenance of information technology serving the ACO and fulfilling the purposes of the MSSP.
- Organization and staff training.

The governing body of the ACO authorized the application of the pre-participation waiver on July 19, 2017, following a determination that such arrangements support the goals of the ACO and are reasonably related to the purposes of the MSSP, in each case because the arrangements: 1) improve the quality of and access to, and control the cost of, health care for the patients and populations served by the ACO; 2) improve the health of such patients and populations; 3) monitor the health care services provided directly or indirectly through and arranged for by the

ACO; 4) integrate and coordinate the provision of such health care services by, and establish collaboration and accountability for, such health care services among Participating Providers, with the support of services from Non-Participating Providers; and 5) improve the patient experience for individuals receiving such health care services.

By undertaking these Start-Up Arrangements, the ACO and its ACO Participants are acting with the good faith intent to develop an ACO that will participate in the Shared Savings Program starting in Target Year 2018, and to submit an application to participate for that year.

The Ohio State Health ACO, LLC will publicly disclose additional arrangements that qualify for the ACO Participation Waiver as they are authorized by its governing board on this website, in compliance with CMS's public disclosure requirements.

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