1. PURPOSE: To set criteria for selection of and contracting with providers and suppliers with whom Martin Medical Center (MMC) shares gains and risks as collaborators in the Centers for Medicare and Medicaid Services (CMS) Comprehensive Care for Joint Replacement Program (CJR Program) and the compliance monitoring of such arrangements.

2. DEFINITIONS:

**Alignment Payment:** A payment from a CJR Collaborator to MMC under a Sharing Arrangement for the purpose of sharing MMC’s responsibility for Repayment Amounts.

**Care Redesign Elements:** Elements identified and documented by MMC for the CJR Program, in order to improve the quality, patient experience and cost-effectiveness of care provided to applicable Medicare beneficiaries.

**CJR Beneficiary:** An individual who meets the criteria at 42 C.F.R. § 510.205 at the time of admission to MMC and throughout the duration of the CJR Episode.

**CJR Collaborator:** A person or entity described at 42 C.F.R. § 510.2 that has entered into a Collaborator Agreement with MMC.

**CJR Episode:** All Medicare items and services described in 42 C.F.R. § 510.200(b) and excluding the items and services described in 42 C.F.R. § 510.200(d)) that are furnished to a CJR Beneficiary during the period that begins with the CJR Beneficiary's admission to MMC and ends on the 90th day after the date of discharge, with the day of discharge itself being counted as the first day of the 90-day post-discharge period.

**CJR Final Rule:** The regulations set forth at 42 C.F.R. Part 510, as amended from time to time.

**Collaborator Agreement:** A written, signed agreement between a CJR collaborator and MMC that meets the requirements of the CJR Rule.

**Gainsharing Payment:** A payment from MMC to a CJR Collaborator under a Collaborator Agreement containing a Sharing Arrangement composed of Reconciliation Payments and/or Internal Cost Savings.

**Internal Cost Savings:** Measurable, actual and verifiable cost savings realized MMC, resulting from Care Redesign Elements in connection with providing items and services to CJR Beneficiaries within a CJR Episode, but do not include savings realized by any individual or entity other than MMC.

**Quality Criteria:** The Quality Criteria set by MMC for the specific provider or supplier or type of provider or supplier, which must be met by a CJR Collaborator in order to receive Gainsharing Payments under a Sharing Arrangement.

**Reconciliation Payments:** Payments made by CMS to MMC in accordance with 42 C.F.R. §510.305(f).

**Repayment Amount:** The amount owed by MMC to CMS, as reflected on a Reconciliation Report.
Reconciliation Report: The report received from CMS following its annual reconciliation, in accordance with 42 C.F.R. §510.305.

Selection Criteria: The criteria for selection of CJR Collaborators, in accordance with this Policy. Selection Criteria may be different for different types of providers or suppliers.

Sharing Arrangement: A financial arrangement between MMC and a CJR Collaborator for the sole purpose of making Gainsharing Payments or Alignment Payments, if applicable, under the CJR Model. Sharing Arrangements shall be reflected in a Collaborator Agreement.


3. POLICY: It is the policy of MMC to collaborate with other providers and suppliers by sharing risks and/or gains under the CJR Program only in accordance with the CJR Final Rule and the Waiver, and any other applicable state or federal laws, regulations or standards, as they may be amended from time to time.

No CJR Collaborator will be selected using criteria based directly or indirectly on the volume or value of referrals of business otherwise generated by potential CJR Collaborator or between or among it and MMC or any other CJR Collaborator, or any individual or entity affiliated with them.

Participation by a CJR Collaborator in a Sharing Arrangement must be voluntary.

All CJR Collaborators must meet the Selection Criteria specified in and/or determined pursuant to this Policy for the applicable type of provider or supplier.

All CJR Collaborators must meet the Quality Criteria determined pursuant to this Policy for the applicable type of provider or supplier.

All CJR Collaborator Agreements shall contain provisions which satisfy the requirements of 42 C.F.R. §510.500(c), including but not limited to those pertaining to methodology for accruing, calculating, and verifying internal cost savings, quality criteria and sources of data, gainsharing calculations and payments, and alignment payments, if shared. Collaborator Agreements shall be executed and managed in accordance with Martin Health System Administrative Policies and Procedures applicable to all contracts and, to the extent compatible with the rules, regulations and function of the CJR Program, those specific to agreements with physicians and other referral sources.

4. PROCEDURE: The Selection Criteria and Quality Criteria for Physician Group Practices who are CJR Collaborators are set forth in Schedule “A” to this Policy.

At the time of implementation of this Policy, and at the time of this July, 2018 revision, MMC is pursuing Sharing Arrangements only with CJR Collaborators who are Physician Group Practices. Selection Criteria and Quality Criteria for other types of providers or suppliers who may become CJR Collaborators shall be developed as needed, consistent with this Policy, and be attached as Schedules hereto.

At such time as MMC enters into a Sharing Arrangement with a CJR Collaborator, immediate notification shall be provided to MMC Marketing Communications to update the list of CJR Collaborators (the "List") on the publically facing MMC web-page (https://www.martinhealth.org/orthopaedics). The List shall include the name and address each CJR Collaborator (current and historical). Quarterly review for accuracy of the List shall be performed and documented. Concomitantly, Corporate Compliance should be notified of new or changes in CJR Collaborators for the purpose of incorporating into its annual Audit and Monitoring Plan.
REGULATORY REFERENCES: 42 CFR Part 510

ATTACHMENT(S): Schedule A: Selection and Quality Criteria for Physician Group Practices as CJR Collaborators; MHS Administrative Policy # 01.10-10 Contracts – Review and Authorization to Execute; MHS Administrative Policy # 17.47 Agreements With Physicians And Other Referral Sources And Recipients

Effective Date: April, 2017
Dates Reviewed: June, 2018
Dates Revised: July, 2018
SCHEDULE A

SELECTION AND QUALITY CRITERIA FOR PHYSICIAN GROUP PRACTICES AS CJR COLLABORATORS

In addition to the criteria stated in the Selection Policy for CJR Collaborators, a Physician Group Practice must meet the following criteria to be a CJR Collaborator:

1. Agree to actively participate in developing and implementing Care Redesign Activities in MMC CJR Program, to coordinate care, manage comorbidities, and otherwise improve quality and decrease costs.
2. Agree to comply fully with the CJR Rule.
3. Demonstrate that it has an effective Compliance Program that includes oversight of the Sharing Arrangement and compliance with the CJR Rule.
4. Ensure that participation by individual physicians or providers in the Group Practice is voluntary.
5. Have physician members who are on the Attending Medical Staff at MMC and are credentialed to perform procedures covered by the CJR Program and who are Board Certified in Orthopedic Surgery.
6. Agree to be clinically involved in the care of CJR Beneficiaries in CJR Episodes commencing with an inpatient stay at MMC.
7. Agree to distribute any Gainsharing Payments to members of the Group only in accordance with a Distribution Agreement that meets the requirements of the CJR Rule.
8. Is not and has not been, and has no physician or provider member who is or has been excluded from participation in any federal health care program.
9. Agrees that its physicians shall meet Quality Criteria during any year in which a CJR Collaborator Agreement is in place.

QUALITY CRITERIA

Quality Criteria are threshold measures of quality of care set forth by MMC and agreed to by the CJR Collaborator in each Collaborator Agreement which set expectations of the quality of care to be delivered by a CJR Collaborator to CJR Beneficiaries during a CJR Episode. These criteria must relate directly to CJR episodes of care.

To be eligible for any sharing under the Collaborator Agreement, a CJR Collaborator must meet the quality criteria established for the calendar year for which Gainsharing Payment is determined by MMC. Quality Criteria may be adjusted from time to time with the objective of targeting and driving quality care.