



# OneCare Vermont Accountable Care Organization Board of Managers Resolution Invoking Participation Waiver for Enhanced Home Care Pathway of Care Pilot June 18, 2024

WHEREAS, OneCare participates in the Vermont All Payer ACO Model Vermont Medicare ACO Initiative and the Vermont Medicaid Next Generation Program. The Secretary of the Department of Health and Human Services by and through CMS, and the Department of Vermont Health Access, have provided certain waivers of federal and state fraud and abuse laws in connection with the Vermont All Payer ACO Model (“APM”), the Fraud and Abuse Waiver Notice for Vermont ACO Initiative;

WHEREAS, the waivers are intended to provide OneCare with flexibility to create arrangements that increase success in value-based care and that might not be permitted under the current federal and state health care regulatory schemes or that might be easier to accomplish without some of the strict requirements of those regulatory schemes; and

WHEREAS, as recognized by this Board since January 2022, Vermont’s hospitals are experiencing high inpatient and emergency department census which includes patients who do not require acute or emergency care, but who remain in these settings as a result of non-medical barriers to discharge; and

WHEREAS, the discharge limiting non-medical factors include a lack of available post-acute care services in Skilled Nursing Facilities and with other providers; and

WHEREAS, enhanced home care service models have been successfully implemented outside of Vermont and by serving patients in their homes offer promise to alleviate the barrier of lack of post-acute facility capacity and the University of Vermont Health Network Home Health & Hospice wants to pilot an enhanced home care service model; and

WHEREAS, The Participation waivers are available when, among other things, the governing body of the ACO has reviewed and determined that the arrangements are reasonably related to ACO Activities. ACO Activities include:

- Promoting accountability for quality of care;
- Promoting accountability for cost of care;
- Promoting accountability for overall care;
- Managing and coordinating care;
- Encouraging infrastructure investment;
- Encouraging investment in re-designed care processes for high quality and efficient services delivery;
- Carrying out any obligation or duty under the Vermont ACO Initiative or the Vermont Medicaid NextGen Program (together “Programs”);
- Direct patient care;



- Promoting evidence-based medicine;
- Promoting patient engagement;
- Reporting on quality and cost measures;
- Coordinating care with telehealth, remote monitoring and other technologies;
- Establishing and improving ACO clinical systems;
- Establishing and improving ACO administrative systems;
- Meeting Programs quality standards;
- Evaluating patient health;
- Communicating clinical knowledge;
- Communicating evidence-based medicine; and
- Developing standards for patient access and communication including to medical records.

**BE IT RESOLVED** by the Board of Managers (the “Board”) of OneCare Vermont Accountable Care Organization, LLC (“OneCare”) as follows:

The OneCare Board of Managers has duly authorized the arrangement below and made a bona fide determination the arrangement is reasonably related to one or more of the above ACO Activities, including managing and coordinating care, accountability for quality, cost and overall care and encouraging investment in re-designed care processes for high quality and efficient service delivery. The Board wishes to extend the protections afforded under the ACO Participation Waiver to the arrangement described below.

1. The University of Vermont Health Network Home Health & Hospice (UVMHHH), a Preferred Provider, will, in partnership with the University of Vermont Medical Center (UVMHC), a Participant, and other supporting organizations listed below, develop and implement an enhanced, home-based, post-acute pathway of care for patients who would otherwise require short hospital or skilled nursing stays, but can be safely discharged to home. This will be a pilot of twenty-five (25) patients. Eligible patients will be identified in the ED and inpatient settings, and provided with high acuity home care services and daily support for approximately five (5) day periods. Services will include skilled care, personal care, DME and remote patient monitoring. Many of these services are not currently reimbursable and patients will not be billed for uncovered services.

OneCare has contributed funding of \$20,000 of the total budget for this project with the University of Vermont Health Network (UVMHN) funding the remainder. Budget monies will be used to pay the workforce who will serve patients in their homes helping with Activities of Daily Living and providing respite for family. UVMHHH and UVMHC will be working to identify and engage non-traditional workforce members for these roles. Funding will also support enhanced home services, DME, remote patient monitoring, nursing oversight and potentially, visits. UVMHHH and UVMHC will be providing staff time for program coordination and operation.

Contracted parties include: Health Recovery Solutions for remote patient monitoring and support services; Keene Medical Products for DME; and TLC Nursing for supplemental staffing.

2. The invocation of this Participation Waiver does not, in any respect, indicate that the arrangement is not compliant with applicable regulations.