

## Voluntary Alignment

Effective Date: 01/01/2018

### Policy

- A. It is the policy of the ACO to conduct Voluntary Alignment activities in accordance with Section C of the Next Generation ACO Model Participation Agreement signed between the Centers for Medicare and Medicaid Services and the ACO.

### Applicability

- A. This policy applies to the ACO, its Next Generation Participants, Preferred Providers, Next Generation Professionals and all individuals or entities providing functions or services related to ACO Activities.

### Procedure

- A. The ACO may elect, each Performance Year, to participate in Voluntary Alignment. If the ACO so elects, the following prohibitions will apply to the Voluntary Alignment Process:
  1. The ACO, its Next Generation Participants, Preferred Providers, Next Generation Professionals and other individual or entities performing functions or services related to ACO Activities are prohibited from providing gifts or other remuneration to Beneficiaries as inducements for influencing a Beneficiary's decision to complete or not complete a Voluntary Alignment Form.
    - a. Any items or services provided in violation of this section do not have a reasonable connection to the medical care of the Beneficiary.
  2. The ACO, its Next Generation Participants, Preferred Providers, Next Generation Professionals, and other individual or entities performing functions or services related to ACO Activities shall not, directly or indirectly, commit any act or omission, not adopt any policy, that coerces or otherwise influences a Beneficiary's decision to complete or not complete a Voluntary Alignment Form, including but not limited to the following:
    - a. Offering of anything of value to the Beneficiary;
    - b. Including the Voluntary Alignment Form and instructions with any other materials or forms, including but not limited to materials requiring the signature of the Beneficiary; and
    - c. Withholding or threatening to withhold medical services or limiting or threatening to limit access to care
- B. For each Performance Year, the ACO must submit to CMS:
  1. A preliminary list identifying the Beneficiaries whom the ACO will contact regarding Voluntary Alignment; and

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2. The criteria used by the ACO to identify such Beneficiaries.
  3. CMS will then provide the ACO with the Voluntary Alignment Beneficiary List identifying the Beneficiaries that the ACO may contact.
- D. CMS has provided the ACO with a template Voluntary Alignment Form. This form must be used, without modification, to complete the Voluntary Alignment Process. Once a Beneficiary has completed the Voluntary Alignment Form, the Beneficiary should sign and date the form (making no other markings on the form) and return it to the ACO.
2. The Voluntary Alignment Forms will be collected and used to create the Preliminary Voluntary Alignment List, which is submitted to CMS prior to each Performance Year.
  3. Any Beneficiary who is a patient of a Next Generation Participant will receive a Voluntary Alignment Form upon request.
  4. A Beneficiary may request a form in person at the office of a Next Generation Participant or by calling the ACO.
  5. Any Beneficiary who has received a Voluntary Alignment Form may request another Voluntary Alignment Form identifying a different Next Generation Participants as the Beneficiary's main doctor, provider, or place of care.
  6. A Beneficiary may change or reverse his or her voluntary alignment at any time by calling this ACO. Available changes include, but are not limited to those that:
    - a. identifies a physician or other individual or entity that is not a Next Generation Participant as his or her main doctor, provider, or place of care; or
    - b. otherwise reverses his or her Voluntary Alignment.
  6. A Beneficiary may request a Voluntary Alignment Form that allows signature by an appointed representative. This request can be made by calling the ACO.
- E. The ACO will maintain for ten years, documentation of the Voluntary Alignment Process, including:
1. Copies of all Voluntary Alignment Forms sent to Beneficiaries (including codes of any letters sent with such forms);
  2. Any original executed Voluntary Alignment Forms;
  3. Envelopes in which Voluntary Alignment Forms were returned to the ACO;
  4. Written documentation of any oral communications with a Beneficiary regarding the potential or actual reversal of a Voluntary Alignment Form;
  5. All electronic data and files associated with the distribution and submission of Voluntary Alignment Forms; and
  6. All other documents, records, including Beneficiary communications, regarding Voluntary Alignment.

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- F. The ACO must notify CMS if they wish to provide Voluntary Alignment Forms at the point of care only in the offices of Next Generation Participants.
  - 1. Voluntary Alignment Forms may not be provided at the point of care in the offices of Preferred Providers.
- G. Voluntary Alignment Communications: The ACO, Next Generation Participants and other individuals or entities performing functions or services related to ACO Activities, may directly communicate orally with Medicare beneficiaries regarding Voluntary Alignment and the Voluntary Alignment Forms.
  - 1. Next Generation Participants and other individuals or entities providing functions or services related to ACO Activities may answer questions from Beneficiaries regarding the Voluntary Alignment Form, but may not complete the form on behalf of any Beneficiary.
  - 2. If a Beneficiary has questions about how to make a change to a Voluntary Alignment Form, they should be directed to call the ACO for assistance.

### Reporting

- A. N/A

### Related Documentation

- A. Next Generation ACO Model Participation Agreement Section V.C.2 and Appendix C
- B. Beneficiary Incentives Policy