

November 10, 2017

Practice Management

CMS Finalizes Quality Payment Program Rule for Year 2 to Increase Flexibility and Reduce Burdens



Quality Payment Program Year 2 Policies are Gradually Preparing Clinicians for Full Implementation

On November 2nd, the Centers for Medicare & Medicaid Services (CMS) issued the [final rule](#) with comment for the second year of the Quality Payment Program (calendar year 2018), as required by the Medicare Access and CHIP Reauthorization Act of 2015 (MACRA) as well as an interim final rule with comment.

CMS listened to feedback from the health care community and used it to inform policy making. As a result, the Year 2 final rule continues many of the flexibilities included in the transition year, while also preparing clinicians for a more robust program in Year 3. CMS wants to ensure that the program consists of meaningful measurement while minimizing burden, improving coordination of care, and supporting a pathway to participation in Advanced Alternative Payment Models (APMs).

Year 2 Final Rule Highlights

- Weighting the MIPS Cost performance category to 10% of the total MIPS final score, and the Quality performance category to 50%.
- Raising the MIPS performance threshold to 15 points in Year 2 (from 3 points in the transition year).
- Allowing the use of 2014 Edition and/or 2015 Certified Electronic Health Record Technology (CEHRT) in Year 2 for the Advancing Care Information performance category, and giving a bonus for using only 2015 CEHRT.
- Awarding up to 5 bonus points on the MIPS final score for treatment of complex patients.
- Automatically weighting the Quality, Advancing Care Information, and Improvement Activities performance categories at 0% of the MIPS final score for clinicians impacted by Hurricanes Irma, Harvey and Maria and other natural disasters.
- Adding 5 bonus points to the MIPS final scores of small practices.
- Adding Virtual Groups as a participation option for MIPS.
- Issuing an interim final rule with comment for extreme and uncontrollable circumstances where clinicians can be automatically exempt from these categories in the transition year without submitting a hardship exception application (note that Cost has a 0% weight in the transition year) if they were have been affected by Hurricanes Harvey, Irma, and Maria, which occurred during the 2017 MIPS performance period.
- Decreasing the number of doctors and clinicians required to participate as a way to provide further flexibility by excluding individual MIPS eligible clinicians or groups with $\leq \$90,000$ in Part B allowed charges or ≤ 200 Medicare Part B beneficiaries.
- Providing more detail on how eligible physicians participating in selected APMs (known as MIPS APMs) will be assessed under the APM scoring standard.

- Creating additional flexibilities and pathways to allow physicians to be successful under the All Payer Combination Option. This option will be available beginning in performance year 2019.

The final rule advances CMS' goals of regulatory relief, program simplification, and state and local flexibility in the creation of innovative approaches to healthcare delivery.

For More Information

- The Quality Payment Program final rule with comment can be downloaded from the Federal Register [here](#).
- For an overview of the final rule with comment, [please visit this link](#)
- For an executive summary of the rule, [click here](#).
- Register [here](#) to join CMS on November 14 for a public webinar on the Quality Payment Program Year 2 Final Rule with comment
- For more information about the Quality Payment Program, please visit: gpp.cms.gov

The Advanced Primary Care Program

The New York State Advanced Primary Care (APC) Program is a \$67 million investment by CMS for primary care practice transformation in New York State. The goal is to have 80% of the population cared for under Value Based Payment systems by 2020 and receiving care within an APC setting. Through a vetted set of Milestones, patient centered medical home principles and transformation support, practices can achieve outcomes consistent with multiple value-based payment arrangements.

The New York Chapter ACP will post resources and information as it is made available by the NYS Department of Health for the APC program on the [Alternative Payment Models page of the NYACP website](#).

The APC program has contracted with 16 Practice Transformation agents in NYS to provide practice specific assistance *at no charge* to position your practice for success in value based care. APC and Practice Transformation Services have been promoted at 6 of NYACPs regional District Meetings.

To learn about the practice transformation agents and the free services available in your area, click [here](#).

Health Facilities in New York State May Now Obtain Medical Marijuana for Certified Patients

Patients with certain severe or life-threatening conditions may be certified and register with the New York State Medical Marijuana Program to obtain and possess marijuana for medical purposes. Patients are permitted to designate caregivers to pick up their medical marijuana or to administer it to them when they are unable to do so.

By emergency regulations effective October 5, 2017, certain facilities and divisions, departments, components, floors or other units of such hospital and healthcare facilities may register with the Department of Health and be eligible to possess, acquire, deliver, transport and administer medical marijuana on behalf of a certified patient. This is intended to prevent patients from experiencing any adverse events associated with abrupt discontinuation of a treatment alternative that may be



providing relief to the patient because they are admitted to a health or mental health facility.

Facilities eligible to register with the department are general hospitals, residential health care facilities, adult care facilities, community mental health residences, NYS psychiatric hospitals, mental hygiene facilities, inpatient or residential chemical dependence treatment programs, residential facilities for the care and treatment of persons with developmental disabilities, residential treatment facilities for mentally disabled children and youth and public or private schools.

Read more from Nixon-Peabody, NYACP's Legal Counsel, on our [Legal Counsel's Forum](#).

New York DOH Weekly Influenza Report

The New York State Department of Health (NYSDOH) collects, compiles, and analyzes information on influenza activity year round in New York State and produces this weekly report during the influenza season (October through the following May).



During the week ending October 28, 2017:

- Influenza activity level was categorized as geographically sporadic. Sporadic activity has been reported for three consecutive weeks.
- There were 101 laboratory-confirmed influenza reports, an 35% increase over last week.
- Of the 765 specimens submitted to NYS WHO/NREVSS laboratories, 5 (0.65%) were positive for influenza.
- Of the 5 specimens submitted to the Wadsworth Center, one was positive for influenza, and it was influenza A (H3).
- Reports of percent of patient visits or influenza-like illness (ILI³) from ILINet providers was 1.46%, which is below the regional baseline of 3.10%.
- The number of patients hospitalized with laboratory-confirmed influenza was 55, an 53% decrease over last week.
- There were no influenza-associated pediatric deaths reported this week, and none yet this season.

[Read the entire report here.](#)

Advocacy

The Chapter's Fall Meeting with Legislative Leaders on Health Issues and Priorities for 2018

On October 31st, meetings were held in Albany with Assemblyman Richard Gottfried, Chair of the Assembly Health Committee, and Senator Hannon's staff (Senator Hannon is Chair of the Senate Health Committee). These meetings were part of NYACP's annual legislative planning process which allows for the Chapter to share healthcare priorities as well as determine the focus of the legislative health leaders for the 2018 session.

Linda Efferen, MD, FACP, Chair of NYACP's Health and Public Policy Committee, Linda Lambert, NYACP Executive Director and Loretta Ponesse, NYACP Assistant Executive Director attended for the Chapter.

Existing legislation and areas for potential legislation development were discussed in detail. Copies of *NYACP's 2018 Legislative Priorities* and draft *Educational Paper on Geriatric Medicine* (both approved on 10/27/17), were discussed. Serious concerns about the medical liability statute of limitations bill (S.6800/A.8516) which passed in June and will soon be sent to Governor Cuomo for his signature were reviewed, and its significant impact on internists and other primary care providers was outlined. Delays and challenges associated with the DANY application process, proposed changes to the NYS physician profile, and feedback pertaining to Alternative Payment Models (APMs) and Regulatory Modernization Initiative (RMI) workgroup meetings were other important topics covered. The Chapter will continue to provide legislative updates to members as we approach the end of the year and as the next session is convened in early January 2018.

Education

NYACP Fall 2017 Resident and Medical Student Forum Recap

On October 28, over 230 residents and medical students convened at the Chapter's Annual Resident and Medical Student Forum at the Staten Island Garden Hilton in Staten Island. More than 130 posters were presented in various categories. The program also featured a panel discussion on "Negotiations" featuring members of the NYACP Early Career Physicians Task Force.

The annual Doctor's Dilemma competition followed, with a field of 16 teams competing in a test of medical knowledge. After four contentious rounds, Montefiore New Rochelle was the winner of the 2017 NYACP Doctor's Dilemma and will represent the Chapter at IM 2018 in New Orleans! Congratulations to all who participated in the Poster and Doctor's Dilemma Competitions.

[To view more pictures from the Poster and Doctor's Dilemma Competitions, please visit our Facebook page.](#)

Congratulations to our Poster Presenter Winners!

Resident and Fellow Clinical Vignette

- 1st Place:** Fitsumberhan Medhane, MD - Jacobi Medical Center
2nd Place: Najia Sayedy, MD - Nassau University Medical Center
3rd Place: Odeth Barrett-Campbell, MD - SUNY Health Sciences in Brooklyn (Downstate)



Resident and Fellow Research

- 1st Place:** Kevin Zarrabi, MD, MSc - Stony Brook Medicine
2nd Place: Gregg Cantor, DO - Stony Brook Medicine
3rd Place: Jessica Harris, MD - Stony Brook Medicine

Medical Student Clinical Vignette

- 1st Place:** Muhammad Yaasen Bhutta-SUNY Downstate Medical Center
2nd Place: Benjamin Parnes - SUNY Downstate Medical Center
3rd Place: Tammy Tavdy - Bellevue Hospital

Medical Student Research

1st Place: Justina Ray - SUNY Downstate Medical Center
2nd Place: Amrita Balgobind - Hofstra Northwell School of Medicine
3rd Place: Ida Suen - Coney Island Hospital

Resident/Fellow, Medical Student Quality, Advocacy and Public Policy

1st Place: Don Bambino Geno Tai - Montefiore New Rochelle Hospital
2nd Place: Gaurav Ahluwalia - University at Buffalo

Congratulations to the 2017 NYACP Dr's Dilemma Competition Winner!

Montefiore New Rochelle

**Pramod Gaudel
Michael Gramuglia
Abdollah Yousefzadeh**



Call for Papers: 2018 Poster Competition Online Forms are Now Available!

The next NYACP poster competition takes place at the Annual Scientific Meeting on Saturday, June 2, 2018 at the Westchester Hilton Hotel in Rye Brook, New York. If you have worked on a research project or have an interesting clinical case, submit your abstract for a chance to present it at the Poster Session at the NYACP Annual Scientific Meeting. Separate poster competitions for residents and medical students will be held for entries in the following categories:

- Research
- Clinical Vignette

Residents/Fellows and Medical Students will be combined in the following category:

- Quality, Advocacy and Public Policy Category

If your abstract is chosen, you will be invited to present your poster at the NYACP Scientific Meeting on Saturday, June 2, 2018 at the Hilton Westchester Hotel. Deadline to submit abstracts is Friday, March 2, 2018.

[To find out more please click here.](#)

District Meetings

Rochester: Thursday, November 16, 2017

Multiple Small Feedings of the Mind

(1) Latest Healthcare News from the State Capitol: An Advocacy Update

(2) NYS Advanced Primary Care and Practice Transformation

Hyatt Regency Rochester

125 East Main Street

Rochester, NY 14604

6:00pm - Registration / 6:30pm - Dinner and Educational Program

[Event Flyer](#) / [Online Registration](#)



Queens: Thursday, November 16, 2017

Multiple Small Feedings of the Mind

(1) NYS Advanced Primary Care and Practice Transformation
(2) Medication Adherence in Patients with Type 2 Diabetes Mellitus
LIJ Forest Hills Hospital - Conference Room, 9th Floor
102-01 66th Road
Forest Hills, NY 11375

6:00pm Registration / 6:30pm Educational Program

[Event Flyer](#) / [Online Registration](#)

Buffalo: Wednesday, November 29, 2017

Multiple Small Feedings of the Mind

(1) Immunization: Not Just for Kids
(2) Taking USPSTF Guidelines to Heart: Statins and Aspirin
(3) NYS Advanced Primary Care (APC) and Practice Transformation
Rizoto Ristorante • 930 Maple Road • Williamsville, NY 14221

6:00pm Registration / 6:30pm Educational Program

[Event Flyer](#) / [Online Registration](#)

Member Benefits

NY Family Medical Leave Act Webinar Available to NYACP Members

NYACP recently presented a webinar entitled "NY Family Medical Leave Act: What Physicians Need to Know." As part of ACP membership, you get access to previously recorded webinars to view at your convenience. Please view the details and access the webinar below. Please note to access this webinar you will need your NYACP (*Not ACP*) username and password.

Title: NY Family Medical Leave Act: What Physicians Need to Know



Presented on Tuesday, October 17, 2017
Presented by: Tom Dulgerian, Esq. Nixon Peabody

Topics Included:

- An in-depth description of the requirements of the law and regulations
- A summary of the recent guidance and anticipated guidance associated with the law and regulations
- How the law and regulations compare with the FMLA
- Employer options regarding how benefits are paid to employees
- Collecting employee contributions before January 2018
- The additional Steps that employers should take between now and January 2018

[Access the Webinar](#)

Auto Insurance Reduction Course

Do you have points on your driving record or would you like a 10% reduction on your personal automobile insurance?

If so, you will want to read about the online Auto Insurance Reduction Course that is currently available as an exclusive NYACP member benefit.

NYACP continues to offer a 6-hour Insurance and Point Reduction Course that is approved by the NYS Department of Motor Vehicles and available to NYACP members, their families, office staff and friends. This convenient online member benefit allows registered "students" the ability to start and finish the course within 30 days for only \$42.00. The benefit includes a 10% reduction on your automobile insurance (liability, no-fault and collision) and up to 4 points off of your driving record (if applicable). More information can be found [by clicking here](#).

