

# Health Care Reform Beyond the ACA

The Next Generation of Medicare Risk,  
High Deductibles, and Physician Integration

Presentation to Cassling  
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# 1 A New Turning Point for Health Care Reform

2 Reflecting on the First Era of Health Care Reform

3 Adapting Provider Strategy to New Market Realities

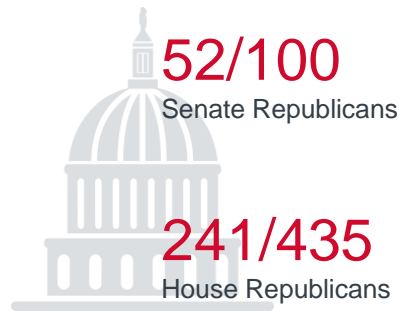
# Congratulations, Mr. President

## Trump Wins in Stunning Upset

### Congress and Executive Branch Now in Republican Control



Image: © 2016, Chip Somodevilla/Getty Images



# Health Care Tops the Day One Agenda

## Trump Takes Aim at ACA with Executive Order on First Day in Office

“



“To the maximum extent permitted by law, the (Secretary) and the heads of all other executive departments and agencies (agencies) with authorities and responsibilities under the Act shall exercise all authority and discretion available to them to **waive, defer, grant exemptions from, or delay the implementation of any provision or requirement of the Act** that would impose a fiscal burden on any State or a cost, fee, tax, penalty, or regulatory burden on individuals...”

*Executive Order*



*Released by the White House, Office of the Press Secretary, January 20, 2017*

”

### Executive Order Does:

-  Signal Trump administration’s commitment to ACA repeal
-  Point to potential for future executive action to weaken ACA<sup>1</sup>

### Executive Order Does Not:

-  Immediately repeal any elements of the ACA
-  Provide authority to ignore or alter portions of the ACA that are set in law

1) Possible administrative changes include broadening exemptions to and/or reducing enforcement of the individual and employer mandates, reducing essential health benefits requirements, and granting states greater flexibility in administering Medicaid and/or regulating insurance markets.

# The ACA at a Turning Point?

## Two Repeal Options on the Table for Congress

### Wholesale Immediate Repeal

A full repeal of the ACA through a congressional vote in both the House and the Senate



### Piecemeal Change

Changes to specific components of the ACA; most likely through budget reconciliation which only requires a majority vote in Congress

### Key Considerations of Each Approach



Potentially requires filibuster-proof majority in Senate



Complicated by entangled ACA policies



Must contend with Republican governors in states supporting Medicaid expansion



Budget reconciliation options limit repeal to tax-related measures



May have to contend with widespread industry pushback



Requires line-item specific transition planning

# An Ambitious Three-Part Agenda

## GOP Outlines Three Phases to Health Care Reform

### A Three-Pronged Approach to Repeal and Replace the ACA

#### 1 Budget Reconciliation

*Process:* Requires simple majority in House and Senate

*Proposed Target Areas:*

- Repeal ACA taxes, employer and individual mandates
- Replace insurance subsidies with refundable tax credits
- Reform Medicaid financing
- Increase contribution limit of health savings accounts
- Allocate funds for state innovations
- Require continuous coverage insurance incentive

#### 2 Administrative Action

*Process:* Federal agencies issue regulation through rulemaking

*Proposed Target Areas:*

- Shorten individual market enrollment period and limit special enrollment
- Loosen restrictions on actuarial value of individual market plans
- Enable state flexibility through waiver process
- Approve state Medicaid eligibility changes (e.g. work requirements, premiums)

#### 3 Additional Legislation

*Process:* Requires simple majority in House, super-majority in Senate

*Proposed Target Areas:*

- Allow insurance to be sold across state lines
- Expand use of HSAs
- Allow formation of Association Health Plans
- Remove “essential benefits” requirements
- Reform malpractice regulation
- Streamline FDA processes
- Expand flexibility of state use of federal dollars

# Easier Said Than Done

## GOP Withdraws American Health Care Act Due to Lack of Votes

### Key Elements of the American Health Care Act



#### Repeals ACA Taxes

- Beginning in 2017, eliminates ACA taxes on health plans, medications, HSAs, medical devices, tanning services, investment income, etc.
- Delays implementation of the Cadillac Tax until 2026



#### Reforms Individual Market

- Eliminates individual mandate as of December 31, 2015
- Requires insurers to penalize individuals who do not maintain continuous coverage
- In 2020, replaces subsidies with refundable tax credits adjusted for age and income



#### Reforms Medicaid Financing

- Freezes expansion, ends enhanced match after 2020
- Reverses DSH cuts<sup>1</sup>, provides additional funding for FQHCs, safety net providers
- Shifts Medicaid to block grant and/or per capita cap in 2020<sup>2</sup>



### American Health Care Act

- Reconciliation bill released by House Republicans on March 6<sup>th</sup> and withdrawn on March 24<sup>th</sup>; would have repealed, replaced, or adjusted some components of the ACA
- CBO estimated that by 2026, would reduce federal deficit by \$150 billion, reduce Medicaid spending by \$839 billion, and increase number of uninsured by 24 million

1) Restores funding in 2018 in non-expansion states and 2020 in expansion states.

2) Block grant option only available for traditional adult and children populations.

# CBO Estimated Big Drops in Coverage, Funding

## Medicaid Reductions Would be Particularly Problematic for Providers

### CBO Projections of AHCA Impact Relative to Current Law

**25%** Reduction in federal funding for Medicaid by 2026; total federal spending on Medicaid is projected to be \$880 billion lower than under current law across the next 10 years

**14M** Increase in the number of uninsured in 2018 alone; by 2026, the number of uninsured would be 24 million higher than under current law

**65%** Projected average actuarial value of non-group coverage in 2026, a significant drop in projected actuarial value relative to current law

**7M** Reduction in the number of individuals covered on employer-sponsored plans by 2026 relative to under current law, as some employees shift to nongroup market, Medicaid or have no insurance



# Future of Repeal and Replace Legislation Now Unclear

## Mixed Messages Following Withdrawal of AHCA

“

### Initial Resignation Gives Way to Renewed Commitment

“We did not have quite the votes to replace this law...[and so] we're going to be living with Obamacare for the foreseeable future.”

*Paul Ryan,  
March 24<sup>th</sup> Press Conference*

“We are going to keep getting at this thing...We're not going to just all of a sudden abandon health care and move on to the rest.”

*Paul Ryan,  
March 26<sup>th</sup> Team Ryan Donor Call*

## Three Potential Legislative Paths Forward

1



**House Republicans  
Renew Effort**

2



**Senate Republicans  
Take Charge**

3



**GOP Shifts Focus to  
Non-ACA Legislation<sup>1</sup>**

1) E.g., allowing insurers to sell plans across state lines, approving the creation of association health plans, and adjusting HSAs.

# Regulatory Agenda Taking Center Stage

## Administration Has Considerable Leeway to Impact ACA Implementation

### Meet the Key Players

#### *HHS Secretary: Tom Price*



Image: © 2017, District Office of Tom Price

- Six-term Representative from Georgia; retired orthopedic surgeon
- Sponsor of the Empowering Patients First Act
- Confirmed by 52-47 vote

#### *CMS Administrator: Seema Verma*

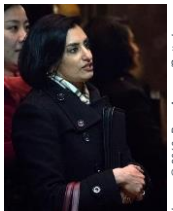


Image: © 2016, Drew Angerer/Getty Images

- National health policy consultant from Indiana
- Helped shape Medicaid expansion in IN, OH, KY, TN
- Confirmed by 55-43 vote

### Potential Administrative Actions

- Reduce enforcement of insurance mandates
- Delay Cadillac Tax
- Eliminate, delay, or modify Innovation Center programs (e.g., CJR)
- Limit special enrollment periods
- End cost-sharing reduction payments
- Narrow scope of essential health benefits
- Allow Medicaid work requirements through 1115 waivers
- Allow Medicaid premiums, others forms of cost-sharing through 1115 waivers
- Eliminate contraception requirement


# The Next Era of Health Care Reform

## Four Key Principles Likely to Guide GOP Reform Efforts

1

### Reduce Federal Entitlement Spending

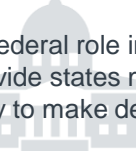
Focus more aggressively on reducing federal health care spending



2

### Devolve Health Policy Control to States


Reduce federal role in health care; provide states more autonomy to make decisions, cut spending



3

### Embrace Free Markets and Consumer Choice

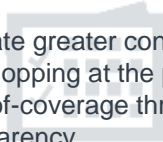
Use free-markets to promote private sector competition in payer, provider markets



4

### Promote Transparency of Cost and Quality

Mandate greater consumer choice and shopping at the point-of-care and point-of-coverage through improved transparency



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# Hope and Change, Eight Years On

## Surely President Obama's Signature Achievement

### A Grand Promise for Change



Image: © 2012, Photo: Souza

“The bill I’m signing will set in motion reforms that generations of Americans have fought for and marched for and hungered to see.”

*Barack Obama,  
on the Affordable Care Act,  
March 23, 2010*

“This is a big [expletive] deal”

*Joe Biden,  
on the Affordable Care Act,  
March 23, 2010*

# Evaluating the ACA Against its Intentions

## Major Reform Goals



### Replace Costly Fee-for-Service Incentive Structures



*Chosen Method:*  
*Medicare-led Payment Reform*

- FFS cuts
- New payment models
- Intent to catalyze broader commercial market change



### Improve Health Care Quality



*Chosen Method:*  
*Incentives + Transparency*

- IT mandates
- Pay-for-Performance programs
- Market-facing transparency



### Achieve Universal, Affordable Coverage



*Chosen Method:*  
*Expansion of Existing System*

- Insurance market regulation
- Expanded public coverage
- Market-based exchanges

## Obama-era Enabling Legislation



**February 17, 2009:**  
Health Information Technology  
for Economic and Clinical Health  
(HITECH) Act



**March 23, 2010:**  
Patient Protection and  
Affordable Care Act



**April 16, 2015:**  
Medicare Access and  
CHIP Reauthorization Act  
(MACRA)

# An Increasingly Attractive Set of Alternative Options

## CJR, Track 3, and Next Gen ACO Filling Out the Continuum

### Continuum of Medicare Risk Models



#### Pay-for-Performance

- Hospital VBP Program
- Hospital Readmissions Reduction Program
- HAC Reduction Program
- Merit-Based Incentive Payment System



#### Bundled Payments

- Bundled Payments for Care Improvement Initiative (BPCI)
- Comprehensive Care for Joint Replacement (CJR) Model
- Episode Payment Models



#### Shared Savings

- MSSP Track 1 (50% sharing)



#### Shared Risk

- MSSP Track 1+
- MSSP Track 2 (60% sharing)
- MSSP Track 3 (up to 75% sharing)
- Next Generation ACO Model (80-85% shared savings option)



#### Full Risk

- Next Generation ACO Model (full risk option)
- Medicare Advantage (provider-sponsored)

Increasing Financial Risk

# MACRA Rewriting the Rules of Risk

## Bipartisan Support at Center of MACRA Rollout



### Legislation in Brief: MACRA<sup>1</sup>

- Legislation passed in April 2015 repealing the Sustainable Growth Rate (SGR)
- CMS released final rule in October 2016 stipulating program to be implemented on Jan 1, 2017
- Created two payment tracks:
  - Merit-Based Incentive Payment System (MIPS)
  - Advanced Alternative Payment Model (APM)

### Legislation Enjoyed Bipartisan Support



“This historic law has been **a collaborative effort from the start**. We are encouraged by this final rule and CMS’s commitment to ongoing collaboration with Congress and the health care community.”

Bipartisan Leaders from House Energy and Commerce Committee and Ways and Means Committee

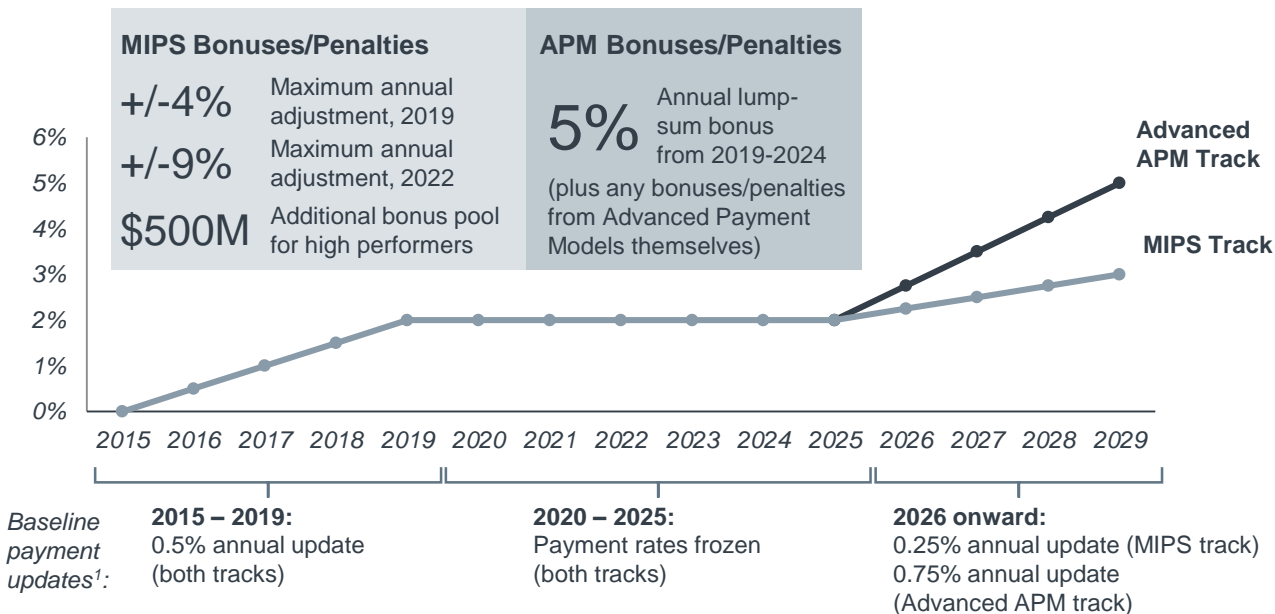
1) Medicare Access and CHIP Reauthorization Act.



# Dealing Physicians in on Risk

## Greater Payment Updates, Bonuses Depend on Payment Migration

### Annual Provider Payment Adjustments



1) Relative to 2015 payment.

Source: The Medicare Access and CHIP Reauthorization Act of 2015; CMS, Merit-Based Incentive Payment System (MIPS) and Alternative Payment Model (APM) Incentive under the Physician Fee Schedule, and Criteria for Physician-Focused Payment Models, April 25, 2016; Health Care Advisory Board interviews and analysis.

# MIPS Rewriting Rules for Physician Quality, Payment

## MIPS Score Components

1

### Quality (Replaces PQRS, VBPM):

- Over 200 measures to choose from, 80% of which are tailored to specialists
- Providers only required to report 6 measures

2

### Resource Use (Cost):

- Continuation of two measures from VBPM: Total per capita costs for all attributed beneficiaries and MSPB
- Adds episode-based measures for specialists
- Seeks to include Part D costs
- No reporting requirement

3

### Clinical Practice Improvement Activities:

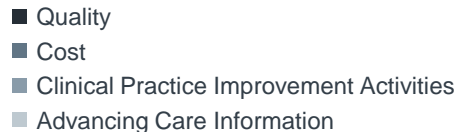
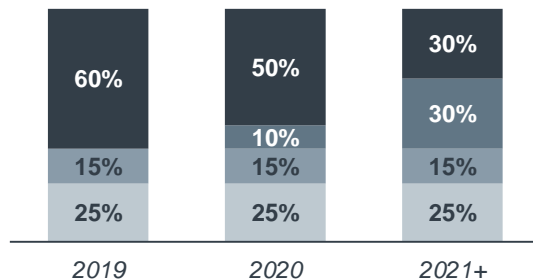
- Over 90 activities to choose from; some activities weighted higher than others
- Clinicians in non-eligible APMs and NCQA Patient-Centered Medical Homes receive favorable scoring

4

### Advancing Care Information (Replaces Meaningful Use for Physicians):

- Applies to all clinicians<sup>1</sup>
- Clinicians given opportunity to report as group or individual
- No longer requires all-or-nothing EHR measurement; requires reporting of 5 measures

## Weights of MIPS Score Components



**83%-90%**  
Of clinicians will likely fall into MIPS track in CY 2017

<sup>1</sup>) Physicians, physician assistants, nurse practitioners, clinical nurse specialists, certified registered nurse anesthetists, and groups that include such clinicians.

# Medicare Legislation Mandates CDS for Imaging

## But Implementation, Compliance Details Not Yet Finalized

### Regulatory Timeline for Clinical Decision Support

#### April 2014

PAMA<sup>1</sup> signed into law, requiring provider use of AUC via CDS for advanced imaging

#### November 2016

MPFS CY 2017 final rule will establish CDS mechanism approval process, clinical priority areas, and reporting requirements

#### As soon as January 1, 2020

Ordering providers identified as **outliers** must obtain **preauthorization**

#### November 2015

MPFS<sup>2</sup> CY 2016 final rule established appropriate use criteria approval process

#### As soon as January 1, 2018

To receive **payment**, providers must report AUC consultation through approved CDS mechanism

### What We Know



- ✓ AUC development requirements
- ✓ AUC approval process
- ✓ Provider-led entities (PLEs) approved

### Proposed Components



- CDS mechanism (CDSM) requirements
- CDSM approval process
- Clinical priority areas
- Reporting requirements for claims
- Ordering provider exemptions

### Requires Clarification



- Outlier calculation methodology, penalty, date
- Provider implementation deadline: CMS suggested, but not proposed, Jan. 1, 2018

1) Medicare Physician Fee Schedule.

2) Provider-led entity.

# Congress First to Move on Site Neutral Payments

## Unbalanced Volume and Payment Growth Provides Impetus for Policy

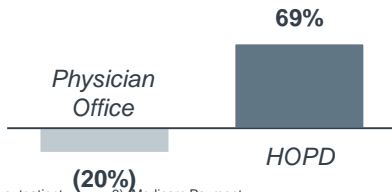
### Higher Reimbursement at HOPD<sup>1</sup> Versus Freestanding Physician Office



Medicare payment differential for a level II echo performed in HOPD vs. physician office setting

### Disproportionate HOPD Volume Growth

*Echo<sup>2</sup> Volume Change by Setting,  
2010-2014*



1) Hospital outpatient department.

2) CPT 93306.

3) Medicare Payment Advisory Commission.

4) Place of service.

### Budget Deal Modifies Payment for Hospital-Owned Physician Practices



#### Bipartisan Budget Act of 2015

*November 2, 2015*

- All services provided at applicable practices will be **billed on lower fee schedules beginning January 1, 2017**
- Sites opened or acquired before November 1, 2015 may maintain current fee schedule

#### CMS Proposed Implementation of Law

Affected sites to bill on MPFS for 2017 as CMS devises new method of payment for subsequent years

# Reimbursement Updates Mirror Technology Adoption

## 1 New Law Cuts Payment for Older X-Ray Technologies

### Consolidated Appropriations Act of 2016

Encourages providers to adopt digital radiography (DR) for x-ray by reducing payments for exams performed using older technology

- CMS proposes modifier to track in 2017

## 2 Proposed Changes to Mammography Billing Procedures

- 1 CMS eliminating use of G codes in favor of 2017 CPT Codes for mammo and DBT<sup>1</sup>
- 2 CMS using RVUs from G codes to prevent 50% reimbursement cut under new billing system
- 3 CMS developing new RVUs to account for proliferation of digital mammography

### Medicare X-ray Reimbursement Cuts

X-ray Technology	Reimbursement Reduction
Analog	20% beginning in 2017
Computed Radiography	<ul style="list-style-type: none"> <li>• 7% for 2018-2022</li> <li>• 10% beginning in 2023</li> </ul>
Digital Radiography	No cuts

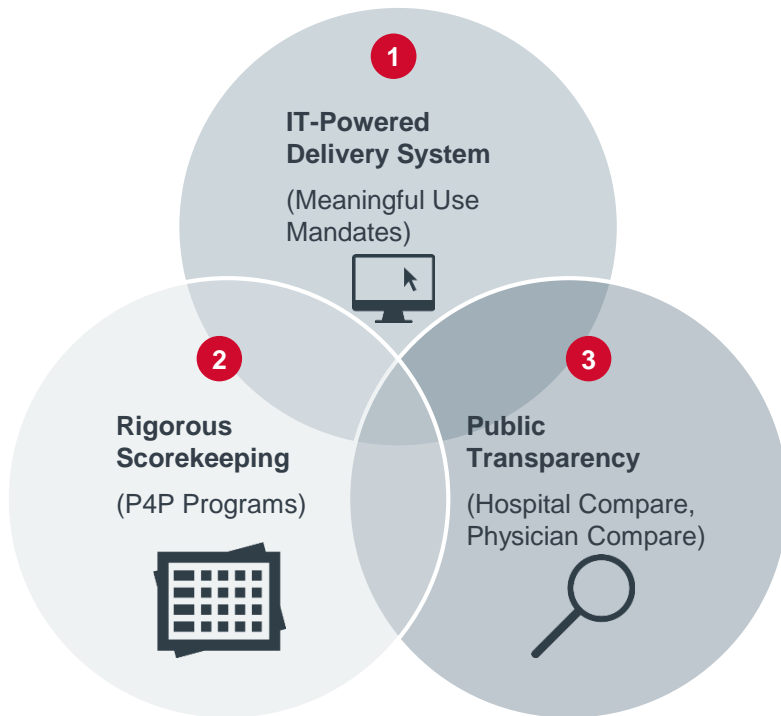
Cuts still apply when X-rays packaged

1) Digital breast tomosynthesis.

# Metrics and Transparency Drive Quality Approach

Emphasis on Collection, Reporting of Performance Data

**Information-Focused Approach to Quality Improvement**



# Having a Measurable Impact on Quality

## CMS Estimates of ACA's Impact on Quality

2010-2014

2.1M



Fewer hospital-acquired conditions

\$20B

Health care cost reductions

87K

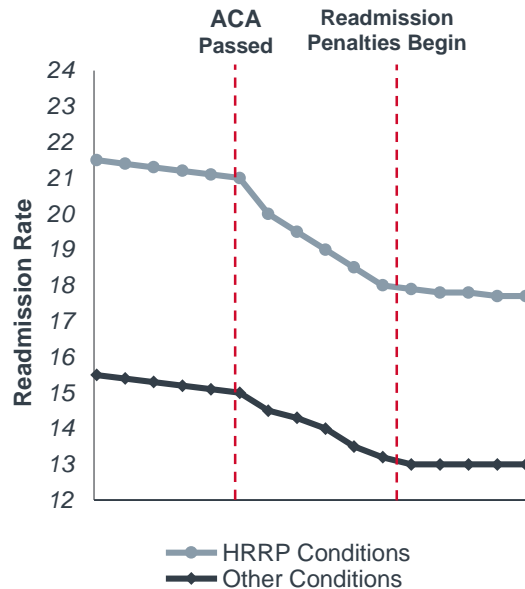
Patient lives saved

“These results represent **real people** who did not die or suffer infections or harm in the hospital.”

*Patrick Conway, MD*  
Chief Medical Officer, CMS

## Hospital Readmissions

HRRP<sup>1</sup> and all-causes, 2010-2014



1) Hospital Readmissions Reduction Program; focuses on heart attack, heart failure, pneumonia, COPD, and elective hip or knee replacement.

Source: Commins J, "HACs Plummet 17%, Save \$20B Under Obamacare," *HealthLeaders Media*, December 2, 2015; Boccuti C. and Casillas, G., "Aiming for Fewer Hospital U-turns: The Medicare Hospital Readmission Reduction Program," *The Kaiser Family Foundation*, Sep. 30, 2016; Health Care Advisory Board interviews and analysis.

# Expanding Coverage by Reforming Existing System

## Correcting for the Deficiencies of the Market



### Insurer Regulations

- Essential health benefits
- Guaranteed issue
- Dependent coverage to age 26
- Community rating



### Medicaid expansion

- Intended to apply to all adults under 138% of federal poverty level
- Supreme Court decision gave states option not to expand



### Employer mandate

Intended to prevent dumping into new safety nets



### Individual mandate

Intended to preserve quality of risk pools



### Exchange subsidies

- Commercial insurance sold on consumer-facing marketplaces
- Subsidies for those between 100%-400% of federal poverty line

Above-Market Supply



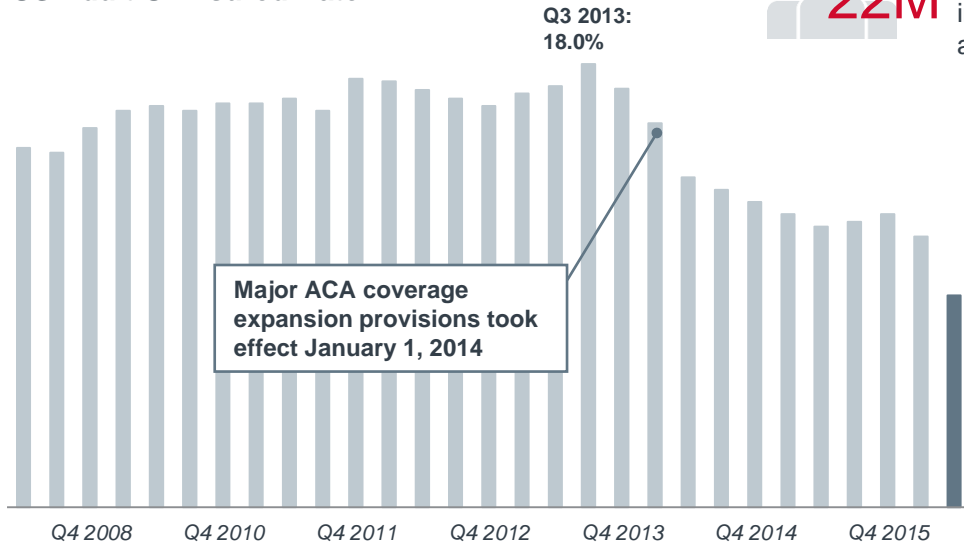
Above-Market Demand



# Coverage Expansion Impact Unmistakable

“Universal Coverage” Still a Distant Goal, but Millions More Now Covered

## US Adult Uninsured Rate



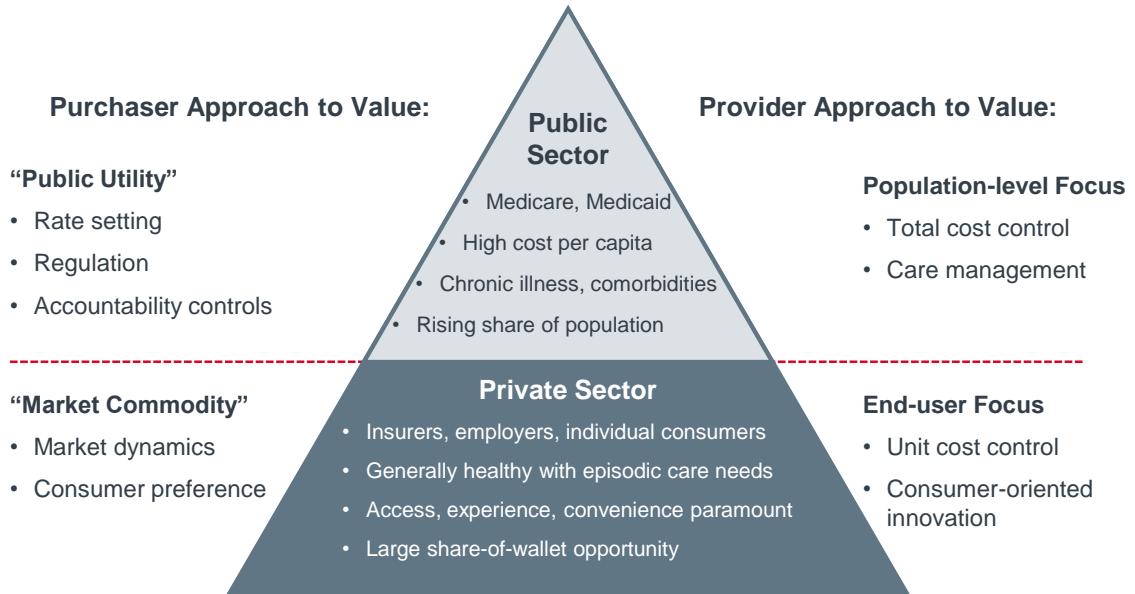
22M

HHS estimate of adults gaining health insurance coverage as a result of the ACA

Source: Gallup, “U.S. Uninsured Rate at 11.0%, Lowest in Eight-Year Trend,” April 7, 2016, available at: [www.gallup.com/poll/190484/uninsured-rate-lowest-eight-year-trend.aspx](http://www.gallup.com/poll/190484/uninsured-rate-lowest-eight-year-trend.aspx); Gallup, “U.S. Uninsured Rate 11.9% in Fourth Quarter of 2015,” January 7, 2016, available at: [www.gallup.com/poll/188045/uninsured-rate-fourth-quarter-2015.aspx](http://www.gallup.com/poll/188045/uninsured-rate-fourth-quarter-2015.aspx); Health Care Advisory Board interviews and analysis.

# Serving Two Masters

## Public, Private Markets Demanding Different Value in Different Ways



# The Implications of a Consumer Market



## Financial Exposure

Shift of health care cost exposure to end consumer expands



## Radical Transparency

Proliferation of third-party transparency vendors continues



## Consumer-Oriented Marketplaces

New online marketplaces connecting consumers directly to out-of-market providers



## Non-Hospital Innovators

New market entrants providing attractive alternatives at low prices

## Following the Dollars

**\$3.9B**

Venture capital funding for digital health, first six months of 2016

“Patient/consumer experience remains a dominant market in the first half of the year [2016], leading significantly in both funding amount and deal amount.”

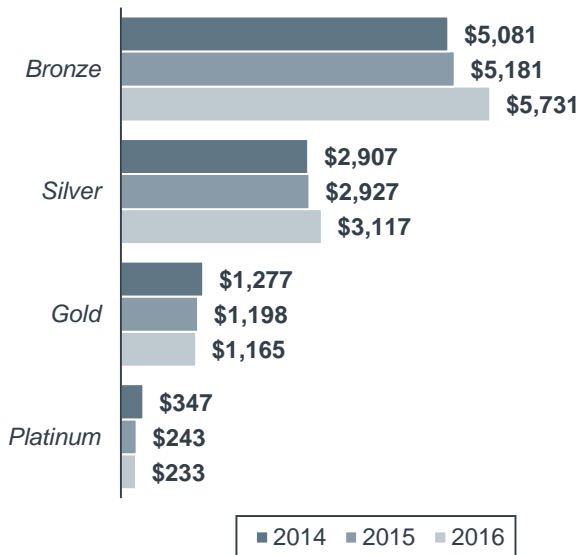
*StartUp Health Insights  
2016 Midyear Report*

# Many Apparently Willing to Bear Point-of-Care Costs

## Consumers Electing to Bear Very High Cost Exposure

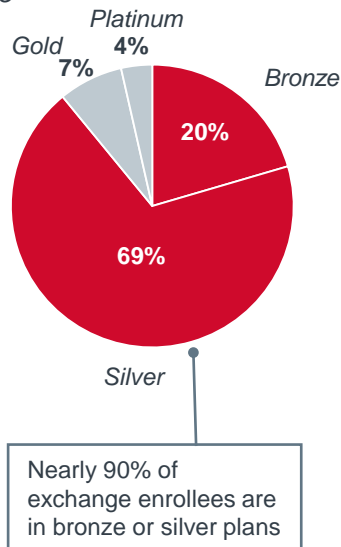
### Average Deductible for Exchange-Sold Health Plans

2014-2016



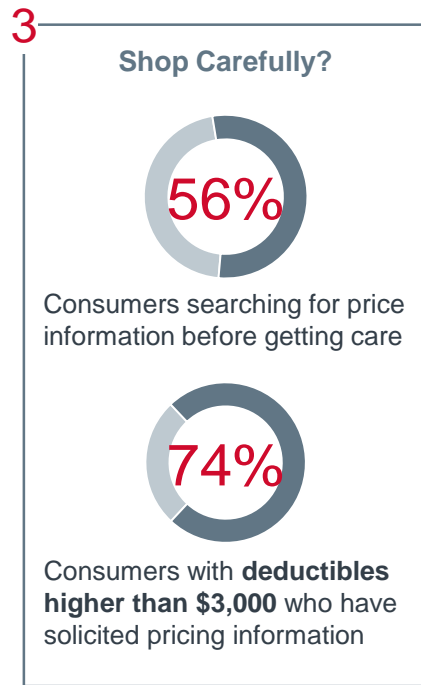
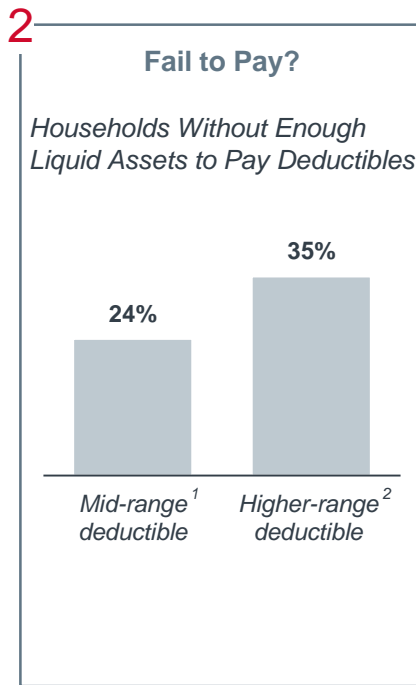
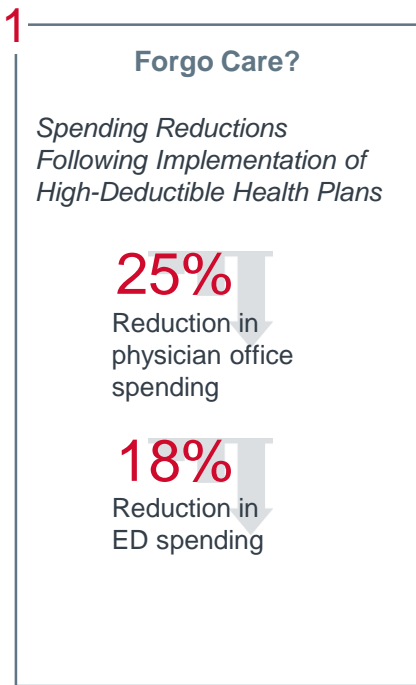
### Exchange Enrollment, by Metal Tier

2015



# Higher Deductibles Driving Increased Price Sensitivity

Consumer Responses Generally Dangerous for Provider Economics



1) \$1,200 Single; \$2,400 Family.

2) \$2,500 Single; \$5,000 Family.

# Living Under a Microscope

## Consumers Have Access to More Information than Ever Before

### Transparency Comes to California

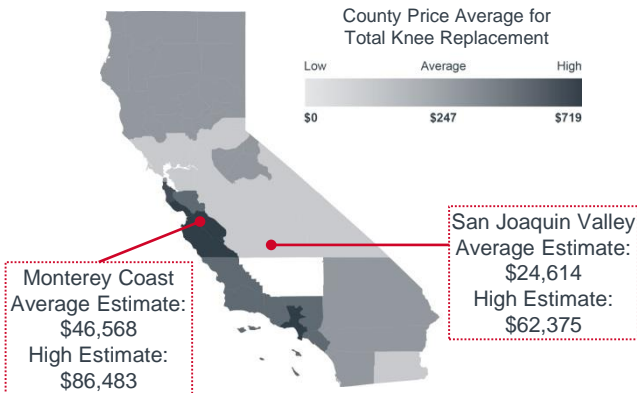


September 21, 2015

*Attention Shoppers: New Calif. Website  
Details Costs, Quality of Medical Procedures*

### Where You Live Matters

*What you pay may differ based on where you live*



### Sample Transparency Sites



Healthcare Bluebook



HEALTH GRADES  
THE HEALTHCARE QUALITY EXPERTS



ZocDoc



Angies list

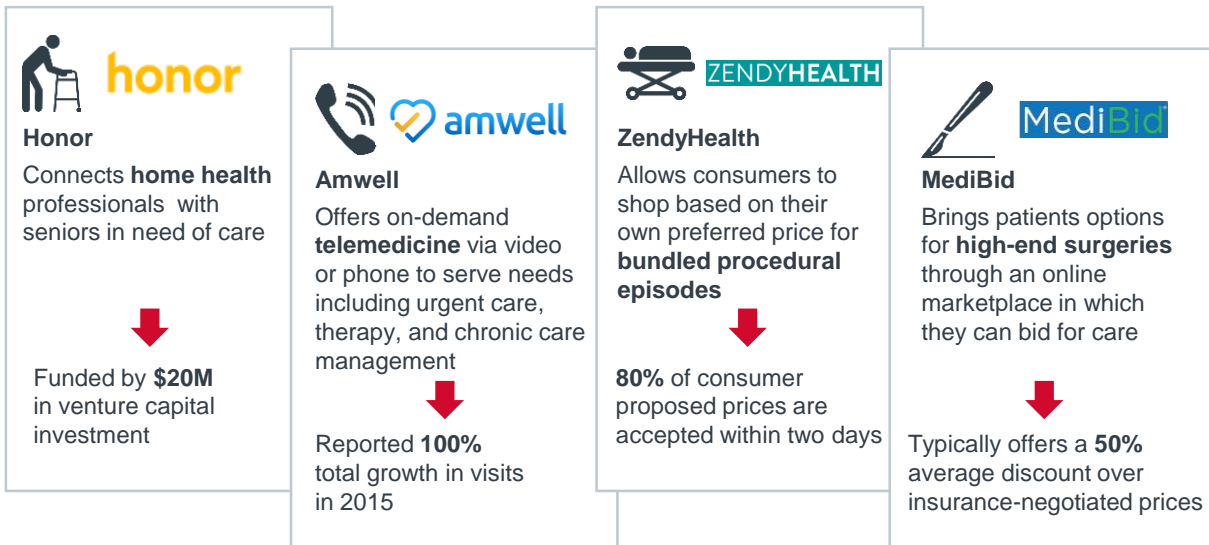


pokitdok

# Online Marketplaces Flourishing

New Exchanges Enabling Consumers to Shop for Range of Services

Consumer-Oriented Marketplaces Span a Variety of Health Care Needs



# Innovations Crowding Onto the Field

## Disruptive Services and Tech for Consumer Use (Existing and In Development)

*Inexpensive,  
rapid care at a  
'provider' site*



- **SmartChoice MRI**
- **Right Care**
- **PediaQ**
- **Mend**
- **OrthoNow**

*Retail Clinics*



- **Walgreens**
- **CVS Health**
- **Wal-Mart**

*Physician  
hailing*



- **Pager.com**
- **Heal**
- **Dispatch Health**
- **MedZed**  
(pediatric house calls)

*Remote diagnosis  
and link to clinicians*



- **Opternative:** iPhone eye exam, e-mail RX
- **Google contact lens:** glucose monitoring
- **EpiWatch:** predicts seizures
- **MoleMapper:** cancerous mole screening
- **Iphone-directed walk tests,** cognition, fine motor skill, tremor evaluations

*Patient apps for  
condition self-  
management*



- **Iodine's Start app:** Tracks depression symptoms and drug efficacy
- **OneDrop:** diabetes tracker
- **ACC's** Statin intolerance self-checker



# 25%

Consumers used a retail clinic in 2015—up from 15% in 2013



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# How It Translates to Imaging

## Key Observations Impacting Radiology Providers

### Volumes and Growth Outlook



We're getting  
diminishing returns from  
traditional growth

### Care Delivery Transformation



Our value under population  
health management  
remains unclear

### Reimbursement and Regulatory Updates



The worst is yet to come  
with hospital  
reimbursement cuts

### Consolidation



Radiology leaders end up in  
unwieldy systems unified  
only in name

# Path Forward Not Dependent on Politics

## No-Regrets Priorities for Next Era of Health Care Reform



### Accessibility

- **Multi-channel navigation platform**, including search, price estimation, and triage/scheduling helps streamline transactions
- Development of **diverse network of access points** (e.g. urgent care, retail, enhanced access to specialty care, primary care) to meet varied consumer access demands



### Reliability

- **Organization-wide commitment** and investment in service delivery and quality improvement drives broad engagement in delivering superior outcomes
- **High-reliability approach** to both service delivery and clinical quality ensures baseline of performance



### Affordability

- Willingness to **partner with lower-cost providers** offers patients affordable options, helps prevent markets from becoming overbuilt
- When markets are already overbuilt, commitment to **scale back excess capacity** ensures affordability in the long-term

# Adapting Provider Strategy to New Market Realities

## Four Key Steps to Succeed In the Next Era of Health Care Reform

1

### **Radically Reduce Cost Structure**

Reduce cost structure to enable pricing flexibility

2

### **Establish a Sustainable Medicare Risk Strategy**

Carefully pace transition to Medicare risk to capture returns from care management

3

### **Build a Consumer Loyalty Platform**

Prioritize consumer loyalty strategy to build durable patient relationships

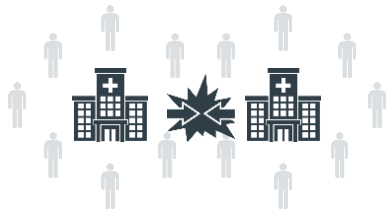
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### **Elevate Physician Network Performance**

Restructure physician network to meet twin mandates of population health and consumerism

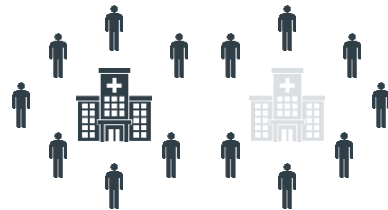
# Viewing Our Strategy Through a New Lens

## Competitor-centric Strategy



Strategic Benchmark: **Closest competitor's performance**  
 Financial Metric: **Share of existing market**  
 Executive Focus: **Stewardship of community asset**

## Customer-centric Strategy



Strategic Benchmark: **Maximum consumer value**  
 Financial Metric: **Share of wallet, lifetime loyalty**  
 Executive Focus: **Ongoing drive for improvement**



“[I have a] passion to figure out customer-focused strategies as opposed to, say, competitor-focused strategies. If you're competitor-focused, you tend to slack off when your benchmarks say that you're the best. **But if your focus is on customers, you keep improving.**”

*Jeff Bezos  
 CEO, Amazon*