

Amendment #1 to the Vermont Medicare  
ACO Initiative Program Addendum  
Regulatory Amendment

This Amendment #1 to the Vermont Medicare ACO Initiative Program Addendum (“Addendum”) is by and between OneCare Vermont Accountable Care Organization, LLC (“ACO”), a Vermont limited liability company, and Participant or Preferred Provider, a health care provider or organization eligible to participate with ACO and organized under Vermont or New Hampshire law (each a “Party” and collectively “Parties”) and is effective thirty (30) days from July 2, 2019.

Whereas, the Agreement and Addendum may be amended by ACO for regulatory compliance without the signature of Participant or Preferred Provider; and

Whereas, The Vermont All Payer ACO Model Vermont Medicare Initiative Participation Agreement between ACO and CMS requires certain terms be included in the ACO’s contracts with Participants and Preferred Providers;

NOW THEREFORE, the Addendum is amended as follows:

The following provisions are added:

4.0 REGULATORY TERMS

4.1 ACO will reimburse Participant for all Covered Services that Medicare would otherwise have paid for, but for the AIPBP Fee Reduction, no later than thirty (30) days after receiving notice of the processed claim, from CMS on its weekly report to ACO.

4.2 Participant shall make all Medically Necessary Covered Services available to Medicare Attributed Lives in accordance with all applicable laws and regulations.

4.3 ACO shall not require prior authorization for services furnished to Medicare Attributed Lives.

4.4 Neither Participant, Preferred Provider nor ACO will interfere in any way with a Medicare Attributed Life’s freedom of choice to receive care and supplies from any Medicare provider, regardless of participation in the ACO.

4.5 Participant shall maintain records regarding the AIPBP payment arrangement, for ten (10) years from termination of the Agreement, to provide those records upon request by the government and to otherwise meet the requirements of Section XVII.B. of the Vermont All-Payer ACO Model Vermont Medicare ACO Initiative Participation Agreement.

4.6 Participant or Preferred Provider will notify ACO within seven (7) days of become aware that it is under investigation or has been sanctioned by the government or any licensing authority (including, without limitation, the imposition of program exclusion, debarment, civil monetary penalties, corrective action plans, and revocation of Medicare billing privileges).

4.7 ACO will not distribute shared savings to any Participant or Preferred Provider who has been terminated by CMS in accordance with Section XVIII.A.1 of the Vermont All Payer ACO Model Vermont Medicare ACO Initiative Participation Agreement.

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