



OneCare Vermont

December 17, 2022

Dear Green Mountain Care Board,

This letter is in response to the GMCB staff presentation given to the GMCB on December 7, 2022. Slide 64 of the presentation included the following recommendation to be considered as a formal budget order:

Recommend that OCV hold risk for Medicare Advanced Shared Savings (Blueprint for Health/SASH funds) rather than delegating risk to network.

This recommendation causes us concern. OneCare's Board of Managers has a fiduciary duty to make decisions in the best interests of the organization to assure its sustainability into the future. Additionally, as a Federal 501(c)(3) it also needs to make sure that its expenditures are made "in furtherance of" the organization's nonprofit purposes. Additionally, Rule 5 requires ACOs to maintain adequate levels of financial stability and solvency at all times. This recommendation, if passed by the GMCB, is asking the Board to put the organization and its mission at risk and potentially out of compliance with Vermont law.

As part of their agreement with the State, CMS requires an entity to take accountability in order to continue the federal funding into Vermont to support PCMH, CHT and SASH payments now totaling over \$34M through 2022. OneCare, and its providers bearing risk, has been willing to be the vehicle to take on this accountability in the Medicare program in order to keep these federal dollars flowing to Vermont.

OneCare functions largely as a pass-through entity, funded entirely by its provider network, and offers efficient access to value-based care programs for providers serving Vermont. The organization is not structured or reserved as an entity to take on material amounts of financial risk. We are not an insurance company, and, unlike insurance companies, our financial solvency is not overseen or independently judged by the Department of Financial Regulation, based on external benchmarks. This recommendation, if approved, would result in OneCare having a potential liability of approximately \$10.4M at the conclusion of the 2023 performance year. This amount is greater than both current and projected net assets, creating the potential to fully deplete OneCare reserves and place the organization in a position where it cannot pay the full amount owed.

We respectfully urge the GMCB not to adopt this order in 2023.

Thank you,

Vicki Loner, RN,C, MHCDS
CEO

Tom Borys
Vice President of Finance

CC: Anya Rader Wallack, Chair, OneCare Board of Managers
Thomas W. Huebner, Vice Chair, OneCare Board of Managers