

# 2025 Medicare Shared Savings Program (MSSP) Compliance Training

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## Objectives

At the end of this presentation participants will be able to:

- Identify the importance of an ACO
- Gain an in-depth understanding of MSSP compliance requirements and how to report non-compliance
- Understand what to know about Tufts Medicine Integrated Network compliance policies



## Compliance and MSSP

- ACOs are required to have a compliance plan in place
- The plan must include an education and training component (which assists in ensuring compliance)

### Why is this important?

- A compliance plan is an ACO's first line of defense for preventing, detecting, and correcting noncompliance and can assist the ACO in identifying risk, which may also reduce the potential for fraud, waste, and abuse
- Assists in ensuring integrity of the MSSP program
- Assists in ensuring protection of rights and care of Medicare beneficiaries



# MSSP Compliance Requirements – 5 key Elements





## MSSP Regulations - *Background*

- MSSP is led by the Centers for Medicare and Medicaid Services (CMS) under the authority of the U.S. Department of Health and Human Services
- Code of Federal Regulations for MSSP:  
<https://www.ecfr.gov/current/title-42/chapter-IV/subchapter-B/part-425>
- CMS annually issues a Medicare Physician Fee Schedule that can include regulatory changes



# MSSP Agreements - *Background*

## **MSSP Participation Agreement:**

- Signed between CMS and our ACO
- Binds the ACO to participation in MSSP
- Includes compliance with all federal and state laws and regulations

## **MSSP Practice Participant Agreement (PPA):**

- Signed between our ACO and each ACO Participant (i.e., practice)
- Binds each practice, and all who bill under the Tax Identification Number (TIN), to the ACO and to comply with MSSP rules

***'Compliance with Laws.*** Participant shall comply with all federal, state and municipal laws, statutes, ordinances, orders and regulations applicable to the conduct of the activities of ACO Participants, Preferred Providers and ACO Providers/Suppliers, including the Medicare Shared Savings Program, federal criminal law, the False Claims Act, the anti-kickback statute, the civil monetary penalties law and the physician self-referral law.' ***This section addresses the requirements of 42 C.F.R. § 425.116(a) (3)***

## **Business Associate Agreement (BAA):**

- Signed between our ACO and each ACO participant; contains privacy and HIPAA requirements



# Designated MSSP Compliance Officer



**Garrett Gillespie** - Tufts Medicine's VP, Chief Compliance Officer

Responsibilities include:

- Overseeing and monitoring the implementation and operation of the compliance program;
- Advising the ACO board on compliance matters



# Reporting Potential Compliance Issues

E-mail: [compliance@tuftsmedicine.org](mailto:compliance@tuftsmedicine.org)

Call: [hotline \(833\) 66 TUFTS](tel:(833)66TUFTS) or [\(833\) 688-8387](tel:(833)688-8387)

- The Hotline is operated by a third-party company that provides toll-free telephone answering, reporting and tracking of telephone calls of compliance concerns
- This Hotline is an integral component of the Tufts Medicine's Corporate Compliance Program ("Compliance Program") and is designed to assist in the identification of possible unethical, illegal or questionable behavior by workforce members, Board Members, physicians, individuals or organizations with which Tufts Medicine's does business



# ACO Policies





# MSSP Compliance Policies

The following policies support compliance efforts and help identify and monitor risks within Wellforce ACO, LLC.

Policy Title	Policy Purpose
<b>Annual Certification to CMS</b>	Supports accurate, timely, and complete submission of all required annual certifications to CMS.
<b>Avoidance of at-risk beneficiaries</b>	Affirms that the ACO will not take actions that discourage or avoid treating at-risk beneficiaries, including patients with multiple hospitalizations, chronic conditions, disabilities, or dual Medicare/Medicaid eligibility.
<b>Beneficiary Inducements</b>	Establishes when the ACO may and may not offer free items or services to beneficiaries.



# MSSP Compliance Policies

Policy Title	Policy Purpose
<b>Compliance Training and Education</b>	Provides guidance on the mandatory compliance education and training program to integrate a culture of compliance and ethical conduct into the ACO's operations.
<b>Conflict of Interest</b>	Enables affected individuals to understand, identify, manage and appropriately disclose actual, potential or perceived conflicts of interest.
<b>False Claims Act</b>	Outlines the applicability and requirements of the False Claims Act to certain financial arrangements.
<b>Notification of Beneficiaries</b>	Provides guidance on the proper notifications to be provided to Medicare beneficiaries regarding their care providers participation in the MSSP.



# MSSP Compliance Policies

Policy Title	Policy Purpose
<b>Notifying CMS</b>	Outlines the process for managing changes to the ACO program during the participation agreement with CMS.
<b>Record Retention</b>	Outlines requirements for maintaining and retaining ACO records in accordance with 42 CFR § 425.316(b).
<b>Referrals and Cost Shifting</b>	Specifies that entities performing functions for the ACO may not restrict Medicare beneficiaries from choosing to receive care from providers or organizations outside the ACO.
<b>Use of Beneficiary Identifiable Data</b>	Specifies that the ACO and its related entities must use CMS beneficiary-identifiable data appropriately and follow all applicable laws protecting the privacy and confidentiality of health information.



# Compliance Education

## Next Steps:

- Review Code of Conduct
- Sign attestation that you have reviewed this presentation and the Code of Conduct
- This presentation will be posted on the TMIN webpage:  
<https://www.tuftsmedicine.org/physicians/webinar-series>

Future compliance training and education will continue to be enhanced under the greater Tufts Medicine compliance efforts



Compliance is  
**EVERYONE's**  
Responsibility.

# Questions?

**MSSP Questions:**

E-mail Mary Pistorino@ [mary.pistorino@tuftsmedicine.org](mailto:mary.pistorino@tuftsmedicine.org)

**Reporting Compliance Issues:**

Email: [compliance@tuftsmedicine.org](mailto:compliance@tuftsmedicine.org)

Or call: hotline (833) 66 TUFTS or (833) 688-8387

# Thank You

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