



News Release
October 9, 2019

Statement on HHS's Proposed Regulations to Modernize Fraud and Abuse Rules

Attributed to Clif Gaus, Sc.D., President and CEO of the National Association of ACOs (NAACOS)

NAACOS applauds and strongly supports the administration's efforts to enhance value-based care, giving ACOs and other models tools needed to succeed, improving regulatory certainty, and reducing administrative burden. NAACOS previously submitted comments in response to the administration's request for information on [Stark Law](#) and [anti-kickback statute](#) waivers. Today's proposed rules, which represent the first major update to the regulations since the Medicare Shared Savings Program was created, are complex and technical, and we are still reviewing.

On a call this morning, administration officials confirmed the new proposals do not supersede or override current HHS waivers for ACOs participating in the Medicare Shared Savings Program. NAACOS would encourage HHS to underscore this positive news and clarify that these new proposals build upon and give additional flexibility for today's ACOs. HHS also extends waivers for other models that ACOs also participate in, which NAACOS asked the administration to do last year. Additional clarity around patient data sharing and how waivers apply to other models is welcomed. We also appreciate HHS's attention to the Beneficiary Incentive Program, which allows ACOs to provide incentives to ACO patients for certain qualifying visits.

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About NAACOS. The National Association of ACOs (NAACOS) is the largest association of Medicare ACOs, representing more than 6 million beneficiary lives through more than 350 MSSP, Next Generation and Commercial ACOs. NAACOS is an ACO member-led and member-owned nonprofit organization that works on behalf of ACOs across the nation to improve the quality of care, population health and outcomes, and healthcare cost efficiency.