

# Participation Waiver

## eBrightHealth ACO Waiver Protection Form

**Program Name:**

eBrightHealth ACO coverage of Year-End ACO Administrative Fees in the Absence of Sufficient Shared Savings

**Type of Waiver Utilized:**

ACO Participation Waiver

**All Parties Involved:**

ChristianaCare Quality Partners ACO, LLC (d/b/a eBrightHealth ACO)

Christiana Care Health Services, Inc.

All ACO Participants

**Date Program will begin:**

January 1, 2022

**Description of Arrangement:**

To be successful eBrightHealth ACO must have a degree of control over total Medicare Parts A and B fee for service expenditures for eBrightHealth ACO's assigned beneficiaries to promote complete accountability for a patient population and coordination of items and services under Parts A and B and to encourage investment in infrastructure and redesigned care processes for high quality and efficient service delivery. That degree of control requires the participation of Private Practices and FQHCs, and Health System Participants. ACO Participants have expressed the position that full payment of the ACO Administrative Fee using Shared Savings will dilute the ability to provide financial incentives to support the clinician engagement and participation in eBrightHealth ACO.

eBrightHealth ACO will cover any ACO Participant's administrative fees that exceed 50% of the ACO Participant's Shared Savings distribution. In the absence of any shared savings, eBrightHealth ACO will cover the entire administrative fee for each ACO Participant.

**Purpose of Arrangement:**

To protect distribution of Shared Savings to ACO Participants, and in the absence of any Shared Savings, provide financial protection required to facilitate maximum participation by Health Systems, Private Practices and FQHCs. This will enable the ACO to be able to support the three-part aim of the Medicare Shared Savings Program and achieve an incentive to restrain wasteful spending, by having the requisite provider constituents needed to achieve quality, efficiency and cost reduction goals of the Shared Savings Program.

**Items, services, facilities or goods covered by the arrangement:**

Assumption of the financial responsibility by eBrightHealth ACO for the Participants' Administrative Fees that exceed 50% of the ACO Participant's Shared Savings distribution. In the absence of Shared Savings, the year-end ACO Administrative Fees will be waived for each ACO Participant.

**Date and manner of the Governing Body's Authorization:**

Approved by the Board of Managers on 9/16/2021.