



Medicare Shared Savings Program

How to Complete the Governing Body Template

June 2016

Version 1

Revision History

Version	Date	Revision/change description	Affected area

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1. Introduction

Medicare Shared Savings Program (Shared Savings Program) Accountable Care Organizations (ACOs) must have an identifiable governing body with ultimate authority to execute the functions of an ACO as defined in the Shared Savings Program regulations at 42 CFR Part 425. The Governing Body Template is designed to assist your ACO when providing responses to the governing body questions in the initial and renewal application. This template must be filled out and submitted as part of your application.

All fields relate to the members on the governing body. Do not leave any fields blank.

2. Instructions

Download the Governing Body Template from the [2017 Shared Savings Program Toolkit](#) and populate the columns in the template for all members of the governing body using the specific instructions below. The Governing Body Template is not for any other committees the ACO has in its organization. You will need to upload your ACO's populated Governing Body Template to the Health Plan Management System (HPMS) when completing your Shared Savings Program application.

1. Column B - **Member Last Name:** Enter the last name of the member.
2. Column C - **Member First Name:** Enter the first name of the member.
3. Column D - **Member Title / Position:** Enter the member's title or position on the governing body.
 - Example: Chairman, Secretary, Voting Member, etc.
4. Column E - **Member's Voting Power:** Enter the number of votes the member has.
 - Enter in number or percentage format (not both). Example: 1, 2, 3; **or** 5%, 10%, 25%.
 - Enter a "0" for non-voting members.
5. Column F: **Membership Type:** Choose the membership type for each member.
 - Select one Membership Type for each member of the governing body: ACO Participant Representative, Medicare Beneficiary Representative, Community Stakeholder Representative or Other.
 - If you indicate "Other," include a brief title or description.

- You must include at least one Medicare Fee-for-Service beneficiary on your ACO governing body, who does not have a conflict of interest, such as a beneficiary who is also one of your ACO participants.
- If you wish to differ from the requirement to include a Medicare Fee-for-Service beneficiary on your governing body, you must submit a narrative showing how your ACO satisfies the requirement of meaningful representation of a Medicare Fee-for-Service beneficiary in ACO governance.

6. Column G: **ACO Participant TIN Legal Business Name**

- For ACO Participant Representatives, tell us the ACO participant TIN legal business name as it appears on your ACO Participant List, including any name extensions (e.g. LLC, Incorporated, M.D., or P.A., etc.). Do not include the ACO participant TIN’s Doing Business As (d/b/a) name.
- For Medicare Fee-for-Service Beneficiary and Community Stakeholder Representatives, type N/A.

7. Save your template as a PDF with the following filename:

- Initial Applicants: Axxxx_S5_Q14_OrgGov-GovTemplate_mmddyyyy.pdf.
- Renewal Applicants: Axxxx_S4_Q6_OrgGov-GovTemplate_mmddyyyy.pdf.

8. Compress (zip) this template with your other files for the appropriate section (**Section 5** for Initial Applicants and **Section 4** for Renewal Applicants) and upload the zip file in HPMS. See the [ACO Application Reference Manual](#), “How to Submit Supporting Document” section for additional upload guidance.

3. Reminders

- We do not require an ACO’s governing body to include a representative from each ACO participant listed on their ACO Participant List. However, the program rules require an ACO to provide meaningful participation in the composition and control of the ACO’s governing body for ACO participants or their designated representatives.
- When delegating voting powers, an ACO should demonstrate shared governance and meaningful participation for ACO participants. For example, if one ACO Participant Representative holds 85% voting power and another ACO Participant Representative holds 15% voting power, the ACO should be prepared to provide a narrative to explain how this design provides a sufficient mechanism for shared governance and ensures both ACO participants have meaningful participation on the

governing body.

- We determine whether ACO participants hold 75% percent control of the ACO's governing body by calculating the percentage of voting power held by the ACO participant representatives. ACO participants must represent 75% voting power for all voting members. We do not include non-voting governing body members in the calculation.
- If an ACO chooses to include a Medicare fee-for service beneficiary on the governing body without voting power, the ACO should be prepared to explain how the ACO demonstrates meaningful representation of Medicare fee-for service beneficiaries in governance.