

Request for Information Responses

ACTIONS AND DEADLINES

The January 1, 2020 application cycle will contain three requests for information (RFIs) for each application type: Medicare Shared Savings Program (Shared Savings Program) Initial and Renewal/Early Renewal, Skilled Nursing Facility (SNF) 3-Day Rule Waiver, and Beneficiary Incentive Program (BIP). RFIs give applicants the opportunity to correct certain application deficiencies, make certain modifications to the ACO Participant List and/or SNF Affiliate List (SNF 3-Day Rule Waiver applicants only), and make other modifications. The due dates for each RFI response, along with when CMS anticipates issuing the RFI, can be found in Table 1 below. Table 2 provides an overview of the actions that applicants can take in response to each RFI.

Table 1. RFI Issue and Response Dates

RFI NUMBER	RFI ISSUED TO ACO DATE*	ACO RFI DUE DATE*
RFI-1	August 15, 2019	August 26, 2019 at 12:00 p.m. (noon) Eastern Time (ET)
RFI-2	September 13, 2019	September 19, 2019 at 12:00 p.m. (noon) ET
RFI-3	October 8, 2019	October 10, 2019 at 12:00 p.m. (noon) ET

*Dates are subject to change

Table 2. ACO Actions in Response to RFIs during the January 1, 2020 Application Cycle

APPLICANT ACTIONS IN RESPONSE TO RFIs	RFI-1 RESPONSE DUE FROM APPLICANTS August 26, 2019 12 p.m. (noon) ET ¹	RFI-2 RESPONSE DUE FROM APPLICANTS September 19, 2019 12 p.m. (noon) ET ¹	RFI-3 RESPONSE DUE FROM APPLICANTS October 10, 2019 12 p.m. (noon) ET ¹
APPLICATION CHANGES FOR AGREEMENT PERIOD BEGINNING ON JANUARY 1, 2020			
Apply for a SNF 3-Day Rule Waiver	Yes	Final Opportunity	No
Apply to establish a BIP	Yes	Final Opportunity	No
Combine applications into one application, or combine an application with a currently participating ACO	Final Opportunity	No	No
Correct application attestation responses and application supporting documentation	Yes	Yes	Final Opportunity
Withdraw pending application for agreement period beginning on January 1, 2020	Yes	Yes	Yes ²
Withdraw pending Early Renewal Application to remain in its current agreement period ³	Yes	Final Opportunity	No

RFI Response Actions and Deadlines
for January 1, 2020 Application Cycle



APPLICANT ACTIONS IN RESPONSE TO RFIs	RFI-1 RESPONSE DUE FROM APPLICANTS August 26, 2019 12 p.m. (noon) ET ¹	RFI-2 RESPONSE DUE FROM APPLICANTS September 19, 2019 12 p.m. (noon) ET ¹	RFI-3 RESPONSE DUE FROM APPLICANTS October 10, 2019 12 p.m. (noon) ET ¹
ACO PARTICIPANT & SNF AFFILIATE CHANGES FOR AGREEMENT PERIOD BEGINNING ON JANUARY 1, 2020			
Add ACO participant and/or SNF affiliate taxpayer identification numbers (TINs) and CMS Certification Numbers (CCNs) ⁴	Yes	Final Opportunity	No
Correct ACO Participant and SNF Affiliate Agreement deficiencies identified by CMS	Yes	Yes	Final Opportunity
Change the merged/acquired indicator for previously-submitted ACO participants	Yes	Yes	Final Opportunity
Withdraw or delete ACO participants ⁵ and SNF affiliates ⁶	Yes	Yes	Final Opportunity
TRACK CHANGES FOR AGREEMENT PERIOD BEGINNING ON JANUARY 1, 2020			
Change between tracks and/or levels	Yes	Yes	Final Opportunity
Change assignment methodology ⁷	Yes	Final Opportunity	No
Change minimum loss rate (MLR)/minimum savings rate (MSR)	Yes	Yes	Final Opportunity

¹ All dates subject to change.

² We strongly encourage ACOs that do not intend to participate in the Shared Savings Program, establish a BIP, and/or use the SNF 3-Day Rule Waiver to withdraw the pending application(s) as soon as possible, but no later than in response to RFI-3 to allow your ACO, ACO participants, and ACO providers/suppliers to participate in other Medicare ACO initiatives.

³ For ACOs that are early renewing applicants, RFI-2 is the last opportunity to withdraw your pending Renewal/Early Renewal Application. Early renewing ACOs that withdraw their application during RFI-2 will have the option to stay in the program under its current agreement period. After RFI-2, if an ACO withdraws its application or if its application is denied, the ACO will no longer be able to continue to participate in the program and can re-apply during the next application cycle.

⁴ CMS considers any change to a digit in a TIN or TIN/CCN to be an addition to the ACO Participant List or the SNF Affiliate List, respectively. Such changes require a new change request and are not permitted after RFI-2.

⁵ If a pending "Edit Participant" change request for a previously-approved ACO participant is withdrawn, the withdrawal will result in the termination of the ACO Participant Agreement, effective December 31, 2019. ACO participants deleted by RFI-3 will have a termination effective date of December 31, 2019. Any ACO participants deleted after RFI-3 will have a termination effective date that corresponds to the end of the next performance year.

⁶ RFI-3 is the final opportunity to withdraw pending or delete previously-approved SNF affiliates during the application evaluation period. ACOs approved for a SNF 3-Day Rule Waiver may also delete SNF affiliates during the performance year.

⁷ Changing assignment methodologies may affect an ACO's ability to provide telehealth services. Please note the December 2018 final rule established regulations in accordance with the Bipartisan Budget Act on coverage for telehealth services furnished on or after January 1, 2020, by physicians and other practitioners participating in an ACO under performance-based risk that select prospective assignment.