

Accountable Care Organization (ACO) Marketing: BJC West

EXCLUSIONS

- All BJC East Health Service Organizations
- All Saint Luke's Health System member-hospitals
- Saint Luke's Home Health and Hospice
- The BJC HealthCare ACO, LLC (operating in the BJC Health East Region)
- Any other BJC Health-member Health Service Organization or affiliated institution or provider not participating in the Medicare Shared Savings Program through the BJC Saint Luke's ACO

POLICY STATEMENT

The purpose of this policy is to describe the process by which BJC Saint Luke's Accountable Care Organization ("ACO") approves marketing plans of its members according to the requirements of the Medicare Shared Savings Program ("MSSP"), as governed by the Center for Medicare and Medicaid Services ("CMS").

PROCEDURE

All prospective MSSP-related marketing materials or activities, or any materials or activities suspected of meeting the definition of such described above, must be submitted to the ACO Compliance Officer or Program Director for review. The Compliance Officer or Program Director will review the nature of the materials per CMS definitions and either approve or revise as appropriate. Any subsequent requests by CMS to review Marketing materials should be routed through the ACO Compliance Officer, who will work with CMS and ACO staff to revise materials as needed per CMS guidance.

All ACO participants and their respective employees or agents are responsible for being aware of and complying with ACO policies and procedures. Questions or issues regarding the policies shall be directed to the ACO Program Director or the ACO Compliance Officer.

Any exception, change or deviation from this Policy must be reviewed and approved by the ACO Compliance Officer. The ACO Compliance Officer or ACO Program Director will be available to answer any questions and to provide assistance and advice to ACO members concerning this Policy.

DEFINITIONS

Under the MSSP, Marketing materials and activities include the following:

"...[G]eneral audience materials such as brochures, advertisements, outreach events, letters to beneficiaries, Web pages, data sharing opt out letters, mailings, social media, or other activities conducted by or on behalf of the ACO, or by ACO participants, or ACO providers/suppliers participating in the ACO, when used to educate, solicit, notify, or contact Medicare beneficiaries or providers and suppliers regarding the Shared Savings Program."

See additional context at link in References section below.

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RELATED POLICIES, STANDARDS, DOCUMENTS

N/A

REFERENCES

1. 42 CFR 425.20—Marketing Materials and Activities definition, available here: <https://www.ecfr.gov/current/title-42/chapter-IV/subchapter-B/part-425/subpart-A/section-425.20>.
2. 42 CFR 425.310—Marketing Requirements, available here: <https://www.ecfr.gov/current/title-42/section-425.310>.

APPENDIX

N/A