

Changes to Stark and the Kickback Statute: What They Mean to DME

WEBINAR PRESENTED BY JEFFREY BAIRD, ESQ. OF BROWN & FORTUNATO
TUESDAY, FEBRUARY 16, 2:30-3:30 P.M. EST

The federal Stark physician self-referral statute ("Stark") and the federal anti-kickback statute ("AKS") came into existence when health care was primarily operating under a fee-for-service ("FFS") model that did not encourage provider collaboration nor tie reimbursement to achieving certain metrics. The FFS model has proven to be costly and inefficient. As a result, third party payors (including Medicare) are pushing health care delivery into a collaborative/value-based model that does (i) encourage provider collaboration and (ii) ties reimbursement, at least in part, to the achievement of certain metrics.

Because of the shift of health care away from FFS towards a collaborative/value-based approach, CMS and the OIG recognized the need to modify Stark and the AKS. The goal of the modifications is to ensure that these two statutes do not unnecessarily impede the transition to collaborative/value-based care. The world of provider collaboration and value-based compensation results in referrals of patients among providers, sharing of risk by providers, and (among certain conditions) the sharing of value-based reimbursement. These activities ran up against the restrictions contained in Stark and the AKS. That is why, on November 20, 2020, CMS and the OIG issued a final rule that modified these two statutes. These modifications include (i) three new safe harbors to the AKS; (ii) modifications to existing AKS safe harbors; (iii) four new Stark exceptions; and (iv) modifications to existing Stark regulations and definitions.

By attending the webinar you will: 1) Understand the modifications to Stark and the AKS. 2) Learn how to structure value-based arrangements to comply with the new Stark exceptions and AKS safe harbors. 3) Understand how the modifications to the Personal Services and Management Contracts safe harbor to the AKS provide flexibility in structuring arrangements with referral sources 4) Understand how the modifications to the Stark definition of commercial reasonableness expands the possibilities for joint ventures and service agreements.

Price: Member \$99.00 | Non-Member \$129.00

Please use the form below to reserve a webinar line.

Name: _____ Title: _____

Email: _____ Phone: _____

Company: _____

Company Address: _____ City/State: _____

Payment:

- Check (made payable to AAHomecare) I Authorize Charging my Credit Card VISA MASTERCARD AMEX

Card Number: _____ Exp _____ CVV _____

Name on Card _____ Billing _____ Zip _____

Address _____

Total Amount to be Charged \$

EMAIL this form to Tilly Gambill at tillyg@aahomecare.org