

CMS Proposes Numerous Significant Changes to Stark Law Regulations, Including a Broad Exception for ‘Value-Based Arrangements’: Practical Implications for Your Organization

Webinar

10.31.2019

When:

9:30 a.m. - 10:30 a.m. PT

11:30 a.m. - 12:30 p.m. CT

12:30 p.m. - 1:30 p.m. ET

Sheppard Mullin Speakers:

Michael Paddock

Erica Kraus

About:

As part of HHS’ Regulatory Sprint to Coordinated Care, CMS recently published a proposed rule that, if finalized, would fundamentally change and alleviate the manner in which the Stark Law regulatory framework has traditionally applied. Many of CMS’ proposed changes could have critical operational and structural implications for current and future arrangements between ‘DHS entities’ and referring physicians – and potential Stark Law liability could be avoided altogether with the proper structuring (or restructuring) of such arrangements. Among other changes, CMS proposes (1) a broad and flexible exception for ‘value-based arrangements’ of nearly any shape and size, (2) an overdue (and narrow) definition of when compensation ‘takes into account’ the volume or value of referrals, impacting how entities can not only pay, but also contemplate and consider compensation arrangements with physicians, (3) potentially significant changes to the methods by which a Group Practice can distribute profit shares and productivity bonuses to members of the Group, (4) a wholesale narrowing of the Stark Law’s application to compensation arrangements, to only those that relate to ‘patient care services’, and (5) a new exception for \$3,500 of annual, undocumented remuneration to physicians. Sheppard Mullin experts will discuss and analyze CMS’ proposed changes, how you could change your practices to harness the proposed changes (if finalized), and the issues left open and to be considered by CMS as it approaches a Final Rule.

[Click here for more information and registration.](#)

Attorneys

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Practice Areas

Healthcare