

Management Service Organization State Designation Application

Why is an MSO State Designation Program Needed?

A 2009 Maryland law requires the Maryland Health Care Commission (MHCC) to designate one or more Management Service Organizations (MSOs). In 2010, MHCC implemented an MSO State Designation program to recognize entities that demonstrate they have met specific criteria around business operations and privacy and security. MSOs are required to expand electronic health record (EHR) adoption among Maryland office-based physicians. When the law was enacted, EHR adoption among office-based physicians was less than 30 percent. MSOs provide technical assistance to practices in EHR adoption and use of health information technology (health IT).

At present, EHR adoption among office-based physicians is nearly 65 percent. MSOs continue to provide valuable resources to practices in adopting an EHR. In addition, MSOs are well-positioned to help practices achieve optimal use of health IT. Practices—especially those not affiliated with a hospital, in rural or underserved areas, and small practices—continue to require technical support and guidance to transform their practice. MSO State Designation provides assurance to practices that they are doing business with an organization that can help them maximize the use of technology and provide assistance in achieving practice transformation, which is essential to participating in new models of care delivery.

What is Practice Transformation?

Practice transformation aims to enable ambulatory primary care and specialty practices to deliver high-quality care that is efficient, coordinated, and patient-centered to improve patient health outcomes and reduce health care costs. Practice transformation requires changes to a practice's existing treatment protocol. Practice transformation activities include improving patient and family engagement, team based relationships, and population health management. Practice transformation is essential for the success of value based payment models, such as Medicare Access and CHIP Reauthorization Act of 2015 (MACRA) and the Maryland All-Payer Model.

What is an MSO and how will it Support Practice Transformation?

An MSO is an organization that provides health IT and practice transformation support through the use of an evidence-based sequential model. MSOs support practices in meeting the goals and objectives of an all-payor, population-based, hospital payment model aimed at reducing health care spending and improving quality of care for patients. In order to achieve practice transformation, ambulatory practices must make office system changes, use their own data to drive decision making, improve clinical quality measures, and strive to continuously improve clinical, health IT, and business and organizational aspects of their practice. MSOs provide resources, services, and support to assist practices in achieving practice transformation objectives, including: developing a quality improvement strategy; accessing quality reports; continuous and team-based healing relationships; organized, evidence-based care; and care coordination.

Application Submission

1. The MSO State Designation application is available on MHCC's website at:
http://mhcc.maryland.gov/mhcc/Pages/hit/hit_mso/hit_mso.aspx.
2. Parts A through C of the application must be completed and all required documents must be attached to the application. The individual authorizing the application must be a signatory authority of the MSO.
3. The completed application and required documents must be submitted by e-mail to
melanie.cavaliere@maryland.gov.
4. As stipulated in COMAR 10.25.15.03A, to qualify for State-Designation, an MSO must:
 - a. Demonstrate that it meets all MSO State-Designation criteria in effect at the date of application; MSO State-Designation criteria are listed in Part B of this application.
 - b. Affirm that the applicant, a related entity, or a person or entity that is a principal, owner, operator, or part of management of the entity has never:
 - i. Pleaded guilty to, been convicted of, or received probation before judgment or similar diversionary disposition for a crime related to the operation of an MSO or for a crime involving fraud, dishonesty, or false dealings; or
 - ii. Been found in violation of State or federal laws or regulations governing the operation of an MSO.

Note: This affirmation can be completed by signing Part C of this application
 - c. Provide additional information requested by MHCC as needed to complete the application in accordance with specified timelines.
 - d. Agree to comply with the requirements of COMAR 10.25.15, as stipulated in COMAR 10.25.15.03(B)(5).

Note: This agreement can be completed by signing Part C of this application.

MHCC Application Evaluation and Notification Process

1. The MHCC will review the application for completeness and request additional documentation if necessary.
2. The MHCC will evaluate the material submitted in the application to ensure compliance with the MSO State Designation criteria. The MHCC may ask for additional information throughout the evaluation process as needed.
3. Upon completing a review of the application, MHCC will take one of the following actions:
 - a. Designate the MSO; or
 - b. Deny the designation for reasons specified to the MSO applicant.

4. The MHCC will notify the MSO applicant of the designation status via email; designated MSOs will be listed on MHCC's website.

Note: Information submitted to MHCC with MSO State Designation applications is subject to the Public Information Act under the State Government Article ("SG"), §§10-611 through 10-630, Annotated Code of Maryland.¹ The MHCC will not divulge or release any proprietary or competitive information to the public. Information pertaining to the protection of the information submitted by an MSO applicant for State Designation is contained in the Maryland Public Information Act: www.oag.state.md.us/Opengov/Chapter3.pdf, pages 3-19.

MSO State Designation Renewal

As stipulated in COMAR 10.25.15.04, MSO applications for renewal of State Designation shall be provided to MHCC at least 30 days prior to the MSO's expiration of State Designation. MSO applicants must demonstrate compliance with the MSO State Designation criteria in effect at the date of application for renewal.

Key Terms

- *Alternative Payment Models (APMs)* – payment approach that incentivizes quality and value with new delivery models that include a component of risk for providers. Some examples of APMs are Accountable Care Organizations, PCMH, and bundled payment models.
- *EHR* - a complete electronic record system that:
 - Contains health-related information on one or more individuals; and
 - Is certified by an authorized testing and certification body designated by the Office of the National Coordinator for Health Information Technology.
- *Entity* - an individual, trust or estate, general or limited partnership, joint stock company, unincorporated association or society, municipal or other corporation, incorporated association, limited liability partnership, limited liability company, the State, an agency or political subdivision of the State, a court, and any other governmental body.
- *Health Information Exchange (HIE)* - allows authorized health care practitioners to appropriately access and securely share patients' medical information electronically across disparate health care systems.
- *Health IT* - generally consists of the following three components: EHRs, HIE and telehealth. Widespread use of health IT can help improve the quality of patient care, reduce medical errors, and achieve cost savings through greater efficiency.
- *Merit-Based Incentive Payment System (MIPS)* - adjusts physician payments based on composite scores made up of measure results in four weighted performance categories: quality; resource use; clinical practice improvement; and advancing care information.

¹ Maryland Public Information Act available at: www.oag.state.md.us/Opengov/pia.htm.

- *MSO* - an entity that provides technology and consultative services to health care providers, and may make available one or more hosted EHR systems and other health IT solutions.
- *MSO State Designation Certificate* - a certificate provided to the MSO by MHCC that documents award of State Designation.
- *MSO State Designation Criteria* - standards published by MHCC on its website that an MSO must meet to qualify for State Designation.
- *Practice Transformation* - workflow and care delivery changes that enable a practice to deliver high-quality care that is efficient, coordinated, and patient-centered to improve patient health outcomes and reduce health care costs.
- *State Designation* or *State Designated* - the status awarded by MHCC to an MSO that has met the MSO State Designation criteria.
- *Telehealth* - the delivery of health education and services using telecommunications and related technologies in coordination with health care practitioners. Telehealth can include the following technologies:
 - Real-time audio video conferencing: virtually connects patients with practitioners (sometimes referred to as *e-visits*) and may serve as an alternative to an in-person visit.
 - Store-and-forward: uses non-real-time communication, such as email or other electronic transmission, to send clinical information, such as an x-ray, to health care practitioners for clinical review at a convenient time offline.
 - Remote monitoring: collects and transmits data on specific health indicators, such as blood pressure or heart rate, to health care practitioners for tracking purposes.
 - Mobile Health: use of mobile communications devices, such as tablets and smartphones, for the delivery of health services, information, and education.
- *Value-Based Payment Models* – strategy to reform how health care is delivered and paid for through incentive payments that reward providers for providing quality care. New value-based payment models include APMs and MIPS.

Part A: MSO Applicant Information

Is the MSO applying for State Designation or renewal of State Designation?

State Designation

Renewal of State Designation

Legal name of MSO:

Doing business as (DBA)(s):

Is the MSO a corporate entity or a subsidiary of a larger organization?

Corporate entity

Subsidiary (*specify*)

Website address:

Mailing address:

City:

State:

Zip code:

Federal tax ID:

State tax ID:

Name of MSO's primary contact:

Note: The individual authorizing this MSO State Designation application must be a signatory authority of the MSO.

Phone number:

E-mail:

Number of years and months the MSO has been in business: Years Months

Percent of MSO services that originate in Maryland:

Total number of MSO employees:

Number of Maryland resident MSO employees:

Is the MSO a certified Maryland Minority Business Enterprise (MBE)?² Yes No

Part B: MSO Adherence to the Criteria for MSO State Designation

An MSO is defined in COMAR 10.25.15.02B(5) as *an entity that provides technology and consultative services to health care providers, and makes available one or more hosted EHR systems and other health IT solutions*. The *MSO Criteria for MHCC State Designation* (criteria) was developed by MHCC to designate organizations that meet defined performance standards pertaining to restructuring practice workflows, ensuring EHR adoption and meaningful use, and optimizing the use of health IT. Designated organizations provide clinical, technical, and administrative support to health care providers for success in population-based quality and value-based payment models. As stipulated in COMAR 10.25.15.03B, an applicant for MSO State Designation must demonstrate that it meets all MSO State Designation criteria in effect at the date of the application. Likewise, as stipulated in COMAR 10.25.15.04A(2), applicants for renewal of State Designation must demonstrate compliance with the MSO State Designation criteria in effect at the date of the application for renewal.

The MHCC will use discretion in its review of an applicant's criteria and may provide applicants with guidance as it pertains to meeting the criteria during the application process. The MHCC will score the applicants documentation for adherence to each criteria. MSO applicants must receive a minimum score of 30 points in order to achieve designation. The MSO applicant may partner with another organization in order to meet the criteria outlined in the application. If the applicant is

² For more information about Maryland's MBE Certification, visit: www.mdot.maryland.gov/Office%20of%20Minority%20Business%20Enterprise/Certifications%20and%20Forms/MBE%20Certification%20Application%20Page.html.

partnering with another organization, please include commitment letter(s) from the partnering organization(s) and detail the role of any partnering organization(s) in the documentation provided for each criterion. Organization's that achieve MSO State Designation will be included on the MHCC MSO website, including information on the services provided based on the criteria documentation received in the application.

Clinical

1. *Criterion 1:* Demonstrate expertise of the clinical aspects of practice transformation:

Documentation (Label the following attachments as Criterion 1 documentation)

- Support practices as they work toward meeting the requirements under MIPS for quality, advancing care information, clinical improvement activities, and resource use;
- Provide guidance to help practices qualify for advanced APMs;
- Perform a practice assessment to assist clinical teams in identifying strengths and weaknesses in their practice;
- Redesign clinical workflows; and
- Provide at least one testimonial letter from a practice that can attest to your organization's ability to transform the clinical aspects of a practice.

2. *Criterion 2:* Demonstrate the organization's knowledge of various clinical approaches and workflow options to facilitate practice transformation:

Documentation (Label the following attachments as Criterion 2 documentation)

- Process mapping and redesign for specific processes or workflows;
- Care management standards for patients at different levels of risk stratification;
- Transition of care policies; and
- Policies to proactively manage patients with chronic conditions.

Health IT

3. *Criterion 3:* Demonstrate that your organization provides technology and consultative services to ambulatory practices, and makes available one or more hosted EHR systems and other health IT solutions:

Documentation (Label the following attachments as Criterion 3 documentation)

- Provide evidence that represents organizational activities for technology consultative services to health care providers; and

- Provide documentation that the MSO owns or has an established relationship with an organization capable of hosting an EHR solution.
4. *Criterion 4:* Demonstrate expertise and knowledge of health IT to enable practice transformation:

Documentation (Label the following attachments as Criterion 4 documentation)

- Provide technical assistance to practices including setting up, monitoring, and or maintaining bidirectional connectivity between ambulatory practices and the State Designated health information exchange;
 - Assist practices to develop and obtain reports to guide quality initiatives; and
 - Guidance on optimizing the use of health IT.
5. *Criterion 5:* Demonstrate the organization’s ability to use health IT to evaluate and make recommendations for population health improvements:

Documentation (Label the following attachments as Criterion 5 documentation)

- Evaluation and guidance/recommendation documents to provide support for organizations in managing population health data.
 - Provide ambulatory practice support towards the acquisition or licensing, program management and implementation of population health information systems
6. *Criterion 6:* Demonstrate the organization’s use of various health IT approaches and workflow options to support practice transformation:

Documentation (Label the following attachments as Criterion 6 documentation)

- Customizing reports using different data and software applications; and
- Recommendations aimed at maximizing the use of health IT.

Business/Organizational

7. *Criterion 7:* Demonstrate the organization’s ability to assess the business and organizational aspects of a practice necessary for practice transformation for each of the following categories:

Documentation (Label the following attachments as Criterion 7 documentation)

- Methods for optimizing reimbursement for quality; and
- Generating financial reports to guide practice decisions.

8. *Criterion 8:* Demonstrate the organization’s ability to recommend sound organizational and billing protocols in support of practice transformation:

Documentation (Label the following attachments as Criterion 8 documentation)

- Strategy, guidance and/or workflow documents revising organizational and billing protocols;

- Strategy, guidance and/or workflow documents for assisting practices maximizing revenue generating opportunities; and
 - Providing guidance or referral for coding review and revenue cycle improvement services.
9. *Criterion 9:* Demonstrate training and certification processes for MSO employees who have access to protected health information as defined by the Health Insurance Portability and Accountability Act 1996 (HIPAA) and as amended by the Health Information Technology for Economic and Clinical Health (HITECH) Act:

Documentation (Label the following attachments as Criterion 9 documentation)

- Training and certification curriculum and documentation for employees who have access to protected health information as defined HIPAA and HITECH; and
 - Evidence that employees have been trained.
10. *Criterion 10:* Provide evidence that demonstrates transparent and accurate marketing materials describing the scope, warranties, and cost of all offered services:

Documentation (Label the following attachments as Criterion 10 documentation)

- Sample of marketing materials used by the organization; and
- Completed MSO Disclosure Statement.

Part C: Attestation

By submitting this application, and if approved for State Designation, my organization agrees to be listed on MHCC's website as a State Designated MSO, including corporate name, address, phone number, website address, and any other information as requested by MHCC. If approved for State Designation, my organization also agrees to comply with the requirements of COMAR 10.25.15.

I recognize that all costs associated with the activities undertaken for MSO State Designation and compliance with COMAR 10.25.15 are at the expense of the MSO applicant. I understand that MHCC is not responsible for any costs incurred in an applicant's pursuit of State Designation or compliance.

By signing and submitting this application, my organization is affirming the applicant, a related entity, or a person or entity that is a principal, owner, operator, or part of management of the entity has never: 1) pleaded guilty to, been convicted of, or received probation before judgment or similar diversionary disposition for a crime related to the operation of an MSO or for a crime involving fraud, dishonesty, or false dealings; or 2) been found in violation of State or federal laws or regulations governing the operation of an MSO.

I affirm under perjury and penalty that the information given in this MSO State Designation application is true and correct to the best of my knowledge and belief. I also understand that any

false information provided shall be a cause for denial of this MSO State Designation application or revocation of MSO State Designation granted.

Electronic Signature:

Entering an electronic signature or typing a name in the signature box above is the equivalent of a physical signature.

Title:

Date:

*PLEASE SUBMIT YOUR COMPLETED APPLICATION AND ALL REQUIRED DOCUMENTS
TO MELANIE.CAVALIERE@MARYLAND.GOV.*

FOR ASSISTANCE, PLEASE CONTACT MHCC BY TELEPHONE AT 410-764-3282
