

# Health Law Fundamentals

**Kenneth J. Kramer  
Executive Vice President/  
General Counsel**

March 27, 2019

1

## Resources

- **Conference Materials**
- **Texas Medical Jurisprudence**

March 27, 2019

2

# Healthcare Reform – HR 3590 Patient Protection and Affordable Care Act (PPACA)

- **Repeal Dead vs Piecemeal Repeal**
  - Individual Mandate
  - Enrollment
  - Percentage of adults without insurance
    - 2016 – 10.9%
    - 2017 – 12.4%
    - 2018 – 13.7%
  - Combination of medical changes and reduced ACA participants

March 27, 2019

3

## Medicare Access and Chip Reauthorization Act (MACRA)

- **MIPS - Merit-Based Incentive Payment System**
- **APM – Advanced /Alternative Payment Mechanism (CMS.gov)**

March 27, 2019

4

# Value-Based Programs

- Value-based programs reward health care providers with incentive payments for the quality of care they give to people with Medicare
  - (CMS.gov)
  - 90% by end of 2018
  - Growth of Medicare Advantage (Part D)
- Safe, appropriate and effective care with enduring results and reasonable costs
  - (Dartmouth-Hitchcock)
- Not Fee For Service
  - MSSP Medicare Shared Savings Program
  - NextGen

March 27, 2019

5

# Managed Care Dynamic

- Pressure For Change
- Pay For Value
  - Upside and Downside
- The “Risk” word is back
  - Downstream Risk

March 27, 2019

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

Title search: Health Law Fundamentals

Also available as part of the eCourse

[Health Law Fundamentals](#)

First appeared as part of the conference materials for the

31<sup>st</sup> Annual Health Law Conference session

"Health Law Fundamentals"