

Health Law Fundamentals

Kenneth J. Kramer
Executive Vice President /
General Counsel

April 5, 2023

1

1

Healthcare Reform Patient Protection and Affordable Care Act (PPACA)

- **Increase in enrollment**
 - 50% increase since Biden took office
- **16.3 million enrollees, 3.6 million new**
- **92% have the option of 3 or more plans**

April 5, 2023

2

2

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)
 - 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
 - ACO REACH
 - Bundles

April 5, 2023

3

3

Managed Care Dynamic

- Pressure For Change / Cost Reduction
- “Value Based”
 - The “Risk” word is back
 - Downstream Risk
 - CMMI – the Changing Landscape

April 5, 2023

4

4

Healthcare Reform Themes

- Systemic Change
- Expand Coverage
- Reduce Costs / Waste
- Better Quality
- They will not go away
 - 3.5 trillion in costs per year/up to 30% waste
 - 10,000 Baby Boomers turn 65 every day
- Health Policy = Fiscal Policy

April 5, 2023

5

5

Change of Administrations = Change in Policy

- Culture of Coverage
- Slim majorities imperil significant change
- Transparency
 - Provider
 - Payor
- MA future
 - Does it save? Will rates continue?

April 5, 2023

6

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 \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Health Law Fundamentals

Also available as part of the eCourse

[Health Law Fundamentals \(2023\)](#)

First appeared as part of the conference materials for the
2023 Health Law Pre-Conference session

"Health Law Fundamentals"