



November 18, 2020

Submitted Electronically

David Seltz  
Executive Director  
Health Policy Commission  
50 Milk Street, 8th Floor  
Boston, MA 02109

**Re: Proposed Updates to the 2022 ACO Certification Requirements**

Dear Executive Director Seltz:

Steward Health Care appreciates the opportunity to comment on the Health Policy Commission's Proposed 2022-2023 Accountable Care Organization (ACO) Certification Standards. As the largest private, tax-paying, physician-led and minority-owned health care system in the country, we have significant experience in delivering successful results within risk-based contracts with payers and accountable care programs nationwide. As an HPC-certified ACO, Steward is one of the largest community-based accountable care organizations in Massachusetts, encompassing ten hospital campuses and over 2,500 physicians and specialists, as well as nurses, behavioral health and allied services professionals.

We commend the HPC for its goals set for 2022's certification standards, including HPC's recognition of the heterogeneity of ACOs across the Commonwealth, and acknowledgment that COVID-19 will continue to impact providers who are balancing high quality care delivery with managing non-pandemic-related regulatory requests, such as ACO certification.

We respectfully request that the HPC continues to recognize that most information collected during ACO certification is proprietary and confidential to the ACO. For example, the terms of our commercial contracts are negotiated between private entities and contain strategically sensitive information. **We urge the HPC to continue to limit disclosure to only the data elements listed in Table 1 on page 13 of the Proposed Comments,** consistent with the HPC's second ACO certification round:

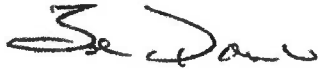
- Applicant Name
- TINs
- Address
- Contact Information
- Payers with which ACO has quality-based risk contracts:
  - Year contract began and expires

- Years of risk experience
- Upside-only or includes downside risk
- Number of attributed patients

This limited public posting must also exclude from disclosure any responses to the Assessment Criteria and the Supplemental Questions, as many responses require ACOs to disclose competitive information about business operations and population health programs. In HPC's proposal to shift the ACO Certification program "to a catalyst for learning and improvement", we encourage the HPC to facilitate learning among ACOs through voluntary participation in peer-to-peer interactions, not to require ACOs to disclose any information about programs that would otherwise impede their competitive position in the marketplace.

We look forward to working with you and your team to refine these requirements to ensure the ACO Certification process achieves the HPC's goals while remaining practical for providers.

Sincerely,

A handwritten signature in black ink, appearing to read "John Donlan". The signature is fluid and cursive, with a large initial "J" and "D".

John Donlan  
President  
Steward Health Care Network, Inc.