
Section 438.6(c) Preprint

42 C.F.R. § 438.6(c) provides States with the flexibility to implement delivery system and provider payment initiatives under MCO, PIHP, or PAHP Medicaid managed care contracts (i.e., state directed payments). 42 C.F.R. § 438.6(c)(1) describes types of payment arrangements that States may use to direct expenditures under the managed care contract. Under 42 C.F.R. § 438.6(c)(2)(ii), contract arrangements that direct an MCO's, PIHP's, or PAHP's expenditures under paragraphs (c)(1)(i) through (c)(1)(ii) and (c)(1)(iii)(B) through (D) must have written approval from CMS prior to implementation and before approval of the corresponding managed care contract(s) and rate certification(s). This preprint implements the prior approval process and must be completed, submitted, and approved by CMS before implementing any of the specific payment arrangements described in 42 C.F.R. § 438.6(c)(1)(i) through (c)(1)(ii) and (c)(1)(iii)(B) through (D). Please note, per the 2020 Medicaid and CHIP final rule at 42 C.F.R. § 438.6(c)(1)(iii)(A), States no longer need to submit a preprint for prior approval to adopt minimum fee schedules using State plan approved rates as defined in 42 C.F.R. § 438.6(a).

Submit all state directed payment preprints for prior approval to:

StateDirectedPayment@cms.hhs.gov.

SECTION I: DATE AND TIMING INFORMATION

1. Identify the State's managed care contract rating period(s) for which this payment arrangement will apply (for example, July 1, 2020 through June 30, 2021):
January 1, 2023 - December 31, 2023
2. Identify the State's requested start date for this payment arrangement (for example, January 1, 2021). *Note, this should be the start of the contract rating period unless this payment arrangement will begin during the rating period.* January 1, 2023
3. Identify the managed care program(s) to which this payment arrangement will apply:
County Organized Health Systems, Geographic Managed Care, Regional Model, Two-Plan Model, AIDS Healthcare Foundation
4. Identify the estimated **total dollar amount** (federal and non-federal dollars) of this state directed payment: \$200,000,000
 - a. Identify the estimated federal share of this state directed payment: 65%
 - b. Identify the estimated non-federal share of this state directed payment: 35%

Please note, the estimated total dollar amount and the estimated federal share should be described for the rating period in Question 1. If the State is seeking a multi-year approval (which is only an option for VBP/DSR payment arrangements (42 C.F.R. § 438.6(c)(1)(i)-(ii))), States should provide the estimates per rating period. For amendments, states should include the change from the total and federal share estimated in the previously approved preprint.

5. Is this the initial submission the State is seeking approval under 42 C.F.R. § 438.6(c) for this state directed payment arrangement? ☒ Yes ☐ No

6. If this is not the initial submission for this state directed payment, please indicate if:
- a. ☐ The State is seeking approval of an amendment to an already approved state directed payment.
 - b. ☐ The State is seeking approval for a renewal of a state directed payment for a new rating period.
 - i. If the State is seeking approval of a renewal, please indicate the rating periods for which previous approvals have been granted:
 - c. Please identify the types of changes in this state directed payment that differ from what was previously approved.
 - ☐ Payment Type Change
 - ☐ Provider Type Change
 - ☐ Quality Metric(s) / Benchmark(s) Change
 - ☐ Other; please describe:
- ☐ No changes from previously approved preprint other than rating period(s).
7. ☒ Please use the checkbox to provide an assurance that, in accordance with 42 C.F.R. § 438.6(c)(2)(ii)(F), the payment arrangement is not renewed automatically.

SECTION II: TYPE OF STATE DIRECTED PAYMENT

8. In accordance with 42 C.F.R. § 438.6(c)(2)(ii)(A), describe in detail how the payment arrangement is based on the utilization and delivery of services for enrollees covered under the contract. The State should specifically discuss what must occur in order for the provider to receive the payment (e.g., utilization of services by managed care enrollees, meet or exceed a performance benchmark on provider quality metrics).

DISTRICT HOSPITAL DIRECTED PAYMENT (DHDP) PROGRAM Program Year (PY) 1. The State will direct Medi-Cal managed care health plans (MCPs) to make uniform dollar amount add-on payments to eligible network district hospitals, as defined in Question No. 20b, based on actual network utilization of qualifying services. Total funding available for these enhanced contracted payments will be limited to a predetermined amount (pool). The pool funding and projected utilization will be assumed in the development of actuarially sound rates.

Upon determination of actual utilization, the State will direct MCPs to make enhanced payments for contracted services utilized within the class of network district hospitals via All Plan Letter or similar instruction. The State may calculate directed payment amounts based on actual utilization for two distinct periods within PY 1 (CY 2023) - January 1 through June 30, and July 1 through December 31 - and direct MCP payments accordingly. Following the issuance of all enhanced payments, the State will notify CMS of the updated actual per-member-per-month (PMPM) increments adjusted for actual utilization.

- a. ☒ Please use the checkbox to provide an assurance that CMS has approved the federal authority for the Medicaid services linked to the services associated with the SDP (i.e., Medicaid State plan, 1115(a) demonstration, 1915(c) waiver, etc.).
- b. Please also provide a link to, or submit a copy of, the authority document(s) with initial submissions and at any time the authority document(s) has been renewed/revised/updated.

CMS approved the CalAIM Section 1115 demonstration and CalAIM Section 1915(b) waiver on December 29, 2021, and an amendment of the 1115 demonstration on June 29, 2022. The approval letters are linked below:

<https://www.dhcs.ca.gov/provgovpart/Documents/CalAIM-1115-Approval-Letter-and-STCs.pdf>
<https://www.dhcs.ca.gov/provgovpart/Documents/CalAIM-Asset-Test-Amendment-Approval.pdf>
<https://www.dhcs.ca.gov/provgovpart/Documents/CalAIM-1915b-Approval-Letter.pdf>

9. Please select the general type of state directed payment arrangement the State is seeking prior approval to implement. (Check all that apply and address the underlying questions for each category selected.)

- a. ☐ **VALUE-BASED PAYMENTS / DELIVERY SYSTEM REFORM:** In accordance with 42 C.F.R. § 438.6(c)(1)(i) and (ii), the State is requiring the MCO, PIHP, or PAHP to implement value-based purchasing models for provider reimbursement, such as alternative payment models (APMs), pay for performance arrangements, bundled payments, or other service payment models intended to recognize value or outcomes over volume of services; or the State is requiring the MCO, PIHP, or PAHP to participate in a multi-payer or Medicaid-specific delivery system reform or performance improvement initiative.

If checked, please answer all questions in Subsection IIA.

- b. ☒ **FEE SCHEDULE REQUIREMENTS:** In accordance with 42 C.F.R. § 438.6(c)(1)(iii)(B) through (D), the State is requiring the MCO, PIHP, or PAHP to adopt a minimum or maximum fee schedule for network providers that provide a particular service under the contract; or the State is requiring the MCO, PIHP, or PAHP to provide a uniform dollar or percentage increase for network providers that provide a particular service under the contract. **[Please note, per the 2020 Medicaid and CHIP final rule at 42 C.F.R. § 438.6(c)(1)(iii)(A), States no longer need to submit a preprint for prior approval to adopt minimum fee schedules using State plan approved rates as defined in 42 C.F.R. § 438.6(a).]**

If checked, please answer all questions in Subsection IIB.

SUBSECTION IIA: VALUE-BASED PAYMENTS (VBP) / DELIVERY SYSTEM REFORM (DSR):

This section must be completed for all state directed payments that are VBP or DSR. This section does not need to be completed for state directed payments that are fee schedule requirements.

10. Please check the type of VBP/DSR State directed payment the State is seeking prior approval for. *Check all that apply; if none are checked, proceed to Section III.*

- ☐ Quality Payment/Pay for Performance (Category 2 APM, or similar)
- ☐ Bundled Payment/Episode-Based Payment (Category 3 APM, or similar)
- ☐ Population-Based Payment/Accountable Care Organization (Category 4 APM, or similar)
- ☐ Multi-Payer Delivery System Reform
- ☐ Medicaid-Specific Delivery System Reform
- ☐ Performance Improvement Initiative
- ☐ Other Value-Based Purchasing Model

11. Provide a brief summary or description of the required payment arrangement selected above and describe how the payment arrangement intends to recognize value or outcomes over volume of services. If “other” was checked above, identify the payment model. The State should specifically discuss what must occur in order for the provider to receive the payment (e.g., meet or exceed a performance benchmark on provider quality metrics).

12. In Table 1 below, identify the measure(s), baseline statistics, and targets that the State will tie to provider performance under this payment arrangement (provider performance measures). Please complete all boxes in the row. To the extent practicable, CMS encourages states to utilize existing, validated, and outcomes-based performance measures to evaluate the payment arrangement, and recommends States use the [CMS Adult and Child Core Set Measures](#) when applicable.

TABLE 1: Payment Arrangement Provider Performance Measures

Measure Name and NQF # (if applicable)	Measure Steward/ Developer ¹	Baseline ² Year	Baseline ² Statistic	Performance Measurement Period ³	Performance Target	Notes ⁴
<i>Example: Percent of High-Risk Residents with Pressure Ulcers – Long Stay</i>	<i>CMS</i>	<i>CY 2018</i>	<i>9.23%</i>	<i>Year 2</i>	<i>8%</i>	<i>Example notes</i>
a.						
b.						
c.						
d.						
e.						

1. Baseline data must be added after the first year of the payment arrangement

2. If state-developed, list State name for Steward/Developer.

3. If this is planned to be a multi-year payment arrangement, indicate which year(s) of the payment arrangement that performance on the measure will trigger payment.

4. If the State is using an established measure and will deviate from the measure steward’s measure specifications, please describe here. Additionally, if a state-specific measure will be used, please define the numerator and denominator here.

a. Please describe the methodology used to set the performance targets for each measure.

b. If multiple provider performance measures are involved in the payment arrangement, discuss if the provider must meet the performance target on each measure to receive payment or can providers receive a portion of the payment if they meet the performance target on some but not all measures?

c. For state-developed measures, please briefly describe how the measure was developed?

14. Is the State seeking a multi-year approval of the state directed payment arrangement?

☐ Yes ☐ No

- a. If this payment arrangement is designed to be a multi-year effort, denote the State's managed care contract rating period(s) the State is seeking approval for.
- b. If this payment arrangement is designed to be a multi-year effort and the State is **NOT** requesting a multi-year approval, describe how this application's payment arrangement fits into the larger multi-year effort and identify which year of the effort is addressed in this application.

15. Use the checkboxes below to make the following assurances:

- a. ☐ In accordance with 42 C.F.R. § 438.6(c)(2)(iii)(A), the state directed payment arrangement makes participation in the value-based purchasing initiative, delivery system reform, or performance improvement initiative available, using the same terms of performance, to the class or classes of providers (identified below) providing services under the contract related to the reform or improvement initiative.
- b. ☐ In accordance with 42 C.F.R. § 438.6(c)(2)(iii)(B), the payment arrangement makes use of a common set of performance measures across all of the payers and providers.
- c. ☐ In accordance with 42 C.F.R. § 438.6(c)(2)(iii)(C), the payment arrangement does not set the amount or frequency of the expenditures.
- d. ☐ In accordance with 42 C.F.R. § 438.6(c)(2)(iii)(D), the payment arrangement does not allow the State to recoup any unspent funds allocated for these arrangements from the MCO, PIHP, or PAHP.

SUBSECTION IIB: STATE DIRECTED FEE SCHEDULES:

This section must be completed for all state directed payments that are fee schedule requirements. This section does not need to be completed for state directed payments that are VBP or DSR.

16. Please check the type of state directed payment for which the State is seeking prior approval. Check all that apply; if none are checked, proceed to Section III.

- a. ☐ Minimum Fee Schedule for providers that provide a particular service under the contract *using rates other than State plan approved rates*¹ (42 C.F.R. § 438.6(c)(1)(iii)(B))
- b. ☐ Maximum Fee Schedule (42 C.F.R. § 438.6(c)(1)(iii)(D))
- c. ☒ Uniform Dollar or Percentage Increase (42 C.F.R. § 438.6(c)(1)(iii)(C))

¹ Please note, per the 2020 Medicaid and CHIP final rule at 42 C.F.R. § 438.6(c)(1)(iii)(A), States no longer need to submit a preprint for prior approval to adopt minimum fee schedules that use State plan approved rates as defined in 42 C.F.R. § 438.6(a).

17. If the State is seeking prior approval of a fee schedule (options a or b in Question 16):

- a.** Check the basis for the fee schedule selected above.
 - i.** ☐ The State is proposing to use a fee schedule based on the **State-plan approved rates** as defined in 42 C.F.R. § 438.6(a). ²
 - ii.** ☐ The State is proposing to use a fee schedule based on the **Medicare or Medicare-equivalent rate**.
 - iii.** ☐ The State is proposing to use a fee schedule based on an **alternative fee schedule established by the State**.
 - 1.** If the State is proposing an alternative fee schedule, please describe the alternative fee schedule (e.g., 80% of Medicaid State-plan approved rate)
- b.** Explain how the state determined this fee schedule requirement to be reasonable and appropriate.

18. If using a maximum fee schedule (option b in Question 16), please answer the following additional questions:

- a.** ☐ Use the checkbox to provide the following assurance: In accordance with 42 C.F.R. § 438.6(c)(1)(iii)(C), the State has determined that the MCO, PIHP, or PAHP has retained the ability to reasonably manage risk and has discretion in accomplishing the goals of the contract.
- b.** Describe the process for plans and providers to request an exemption if they are under contract obligations that result in the need to pay more than the maximum fee schedule.
- c.** Indicate the number of exemptions to the requirement:
 - i.** Expected in this contract rating period (estimate)
 - ii.** Granted in past years of this payment arrangement
- d.** Describe how such exemptions will be considered in rate development.

² Please note, per the 2020 Medicaid and CHIP final rule at 42 C.F.R. § 438.6(c)(1)(iii)(A), States no longer need to submit a preprint for prior approval to adopt minimum fee schedules that use State plan approved rates as defined in 42 C.F.R. § 438.6(a).

19. If the State is seeking prior approval for a uniform dollar or percentage increase (option c in Question 16), please address the following questions:

- a.** Will the state require plans to pay a ☒ uniform dollar amount **or** a ☐ uniform percentage increase? (*Please select only one.*)
- b.** What is the magnitude of the increase (e.g., \$4 per claim or 3% increase per claim?)

Final uniform dollar amounts will be calculated in accordance with the methodology described in Question No. 21.

- c.** Describe how will the uniform increase be paid out by plans (e.g., upon processing the initial claim, a retroactive adjustment done one month after the end of quarter for those claims incurred during that quarter).

A retroactive adjustment will be performed approximately 21 months after the end of each calculation period.

- d.** Describe how the increase was developed, including why the increase is reasonable and appropriate for network providers that provide a particular service under the contract

This increase will enhance funding to largely rural district hospitals, as defined in Question No. 20b, to encourage higher rates of contracting with MCPs and improved access for members in these areas. The increase will also drive improvement in the quality of encounter data reporting within this class of providers, which will support data-driven analysis, issue spotting, and solution design to guide care management and care coordination needs, and identify and mitigate social drivers of health to reduce health care disparities.

The proposed pool amount is reasonable and appropriate based on consideration of existing MCP payment levels to network district hospitals relative to other types of hospitals and to average Medicare and Commercial rates of reimbursement.

SECTION III: PROVIDER CLASS AND ASSESSMENT OF REASONABLENESS

20. In accordance with 42 C.F.R. § 438.6(c)(2)(ii)(B), identify the class or classes of providers that will participate in this payment arrangement by answering the following questions:

- a.** Please indicate which general class of providers would be affected by the state directed payment (check all that apply):

- ☒ inpatient hospital service
- ☒ outpatient hospital service
- ☐ professional services at an academic medical center
- ☐ primary care services
- ☐ specialty physician services
- ☒ nursing facility services
- ☐ HCBS/personal care services
- ☐ behavioral health inpatient services
- ☐ behavioral health outpatient services
- ☐ dental services
- ☒ Other: Emergency department services.

- b.** Please define the provider class(es) (if further narrowed from the general classes indicated above).

District hospitals are "nondesignated public hospitals" as defined in California Welfare and Institutions Code, Section 14166.1(f).

- c. Provide a justification for the provider class defined in Question 20b (e.g., the provider class is defined in the State Plan.) If the provider class is defined in the State Plan, please provide a link to or attach the applicable State Plan pages to the preprint submission. Provider classes cannot be defined to only include providers that provide intergovernmental transfers.

This provider class is defined in California State law, and includes all public hospitals that are not designated public hospitals. See Welfare and Institutions Code, Section 14166.1(f).

21. In accordance with 42 C.F.R. § 438.6(c)(2)(ii)(B), describe how the payment arrangement directs expenditures equally, using the same terms of performance, for the class or classes of providers (identified above) providing the service under the contract.

The State will establish two pools from which the total uniform increment payments for the provider class will be made. For PY 1 (CY 2023), the two pools will consist of total amounts for:

- 1) contracted inpatient services including nursing facility services; and
- 2) select contracted non-inpatient services (outpatient/emergency department services).

A weighted pro rata redistribution of a particular pool (1 or 2) shall be used to distribute a pool based on actual utilization. For example, if the number of inpatient claims/encounters exceeds what was initially projected in the rate development, the State will ensure that all eligible claims in the rate year receive a weighted pro rata portion of the pool.

22. For the services where payment is affected by the state directed payment, how will the state directed payment interact with the negotiated rate(s) between the plan and the provider? Will the state directed payment:

- a. ☐ Replace the negotiated rate(s) between the plan(s) and provider(s).
- b. ☐ Limit but not replace the negotiated rate(s) between the plans(s) and provider(s).
- c. ☒ Require a payment be made in addition to the negotiated rate(s) between the plan(s) and provider(s).

23. For payment arrangements that are intended to require plans to make a payment in addition to the negotiated rates (as noted in option c in Question 22), please provide an analysis in Table 2 showing the impact of the state directed payment on payment levels for each provider class. This provider payment analysis should be completed distinctly for each service type (e.g., inpatient hospital services, outpatient hospital services, etc.).

This should include an estimate of the base reimbursement rate the managed care plans pay to these providers as a percent of Medicare, or some other standardized measure, and the effect the increase from the state directed payment will have on total payment. *Ex: The average base payment level from plans to providers is 80% of Medicare and this SDP is expected to increase the total payment level from 80% to 100% of Medicare.*

TABLE 2: Provider Payment Analysis

Provider Class(es)	Average Base Payment Level from Plans to Providers (absent the SDP)	Effect on Total Payment Level of State Directed Payment (SDP)	Effect on Total Payment Level of Other SDPs	Effect on Total Payment Level of Pass-Through Payments (PTPs)	Total Payment Level (after accounting for all SDPs and PTPs)
<i>Ex: Rural Inpatient Hospital Services</i>	80%	20%	N/A	N/A	100%
a. District Hospitals – Inpatient Hospital Services	68.00%	19.60%	14.70%	13.60%	116.00%
b. District Hospitals – Outpatient Hospital and Emergency Room Services	30.10%	7.00%	5.40%	0.00%	42.50%
c. See PY1 - CY2023 - Attachment 1 - DHDP - Table 2	0.00%	0.00%	0.00%	0.00%	0.00%
d.	0.00%	0.00%	0.00%	0.00%	0.00%
e.	0.00%	0.00%	0.00%	0.00%	0.00%
f.	0.00%	0.00%	0.00%	0.00%	0.00%
g.	0.00%	0.00%	0.00%	0.00%	0.00%

24. Please indicate if the data provided in Table 2 above is in terms of a percentage of:

- a.** ☒ Medicare payment/cost
- b.** ☐ State-plan approved rates as defined in 42 C.F.R. § 438.6(a) (*Please note, this rate cannot include supplemental payments.*)
- c.** ☐ Other; Please define:

25. Does the State also require plans to pay any other state directed payments for providers eligible for the provider class described in Question 20b? ☒ Yes ☐ No

If yes, please provide information requested under the column “Other State Directed Payments” in Table 2.

- 26.** Does the State also require plans to pay pass-through payments as defined in 42 C.F.R. § 438.6(a) to any of the providers eligible for any of the provider class(es) described in Question 20b? ☒ Yes ☐ No

If yes, please provide information requested under the column “Pass-Through Payments” in Table 2.

- 27.** Please describe the data sources and methodology used for the analysis provided in response to Question 23.

The average base payment levels from MCPs to providers as well as the total applicable unit counts are estimated based on unit costs and utilization assumed in the CY 2023 Medi-Cal managed care capitation rates, as well as class-specific unit cost differentials. The class-specific unit cost differentials are as compared to the average unit cost across all providers for each applicable category of service, and are based on a review of MCP-submitted supplemental data. The SDP and applicable PTPs are converted to an add-on unit cost based on the sub-pool amounts and the estimated total applicable unit counts.

Percentages represent a comparison to Medicare unit costs for California district hospitals. The Medicare unit cost benchmarks are California- and class-specific, sourced from the California Department of Health Care Access and Information (HCAI), formerly known as the Office of Statewide Health Planning and Development (OSHPD), hospital financial and utilization data for CY 2021. The benchmarks were trended forward to CY 2023 consistent with trend factors utilized in the development of the CY 2023 Medi-Cal managed care capitation rates.

- 28.** Please describe the State's process for determining how the proposed state directed payment was appropriate and reasonable.

As shown in Table 2, by provider class and service type, the total payment levels from MCPs to providers, after accounting for all SDPs and PTPs, fall below Medicare payment levels for outpatient/emergency room. For inpatient, while the total payment level is above Medicare, it remains well below Commercial payment levels.

SECTION IV: INCORPORATION INTO MANAGED CARE CONTRACTS

- 29.** States must adequately describe the contractual obligation for the state directed payment in the state's contract with the managed care plan(s) in accordance with 42 C.F.R. § 438.6(c). Has the state already submitted all contract action(s) to implement this state directed payment? ☒ Yes ☐ No

a. If yes:

- i.** What is/are the state-assigned identifier(s) of the contract actions provided to CMS?

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- ii.** Please indicate where (page or section) the state directed payment is captured in the contract action(s).

Exhibit B, Provision 16 (Special Contract Provisions Related to Payment)

- b.** If no, please estimate when the state will be submitting the contract actions for review.

SECTION V: INCORPORATION INTO THE ACTUARIAL RATE CERTIFICATION

Note: Provide responses to the questions below for the first rating period if seeking approval for multi-year approval.

30. Has/Have the actuarial rate certification(s) for the rating period for which this state directed payment applies been submitted to CMS? ☒ Yes ☐ No

a. If no, please estimate when the state will be submitting the actuarial rate certification(s) for review.

b. If yes, provide the following information in the table below for each of the actuarial rate certification review(s) that will include this state directed payment.

Table 3: Actuarial Rate Certification(s)

Control Name Provided by CMS (List each actuarial rate certification separately)	Date Submitted to CMS	Does the certification incorporate the SDP?	If so, indicate where the state directed payment is captured in the certification (page or section)
i. California_TwoPlan GMC COHS WCM CCI Expansion_20230101-20231231_Certification_2021223	12/23/2022	Yes	92-112
ii.			
iii.			
iv.			
v.			

Please note, states and actuaries should consult the most recent [Medicaid Managed Care Rate Development Guide](#) for how to document state directed payments in actuarial rate certification(s). The actuary's certification must contain all of the information outlined; if all required documentation is not included, review of the certification will likely be delayed.)

c. If not currently captured in the State's actuarial certification submitted to CMS, note that the regulations at 42 C.F.R. § 438.7(b)(6) requires that all state directed payments are documented in the State's actuarial rate certification(s). CMS will not be able to approve the related contract action(s) until the rate certification(s) has/have been amended to account for all state directed payments. Please provide an estimate of when the State plans to submit an amendment to capture this information.

Not applicable, except the State will submit the rate certification for AIDS Healthcare Foundation by April 30, 2023.

- 31.** Describe how the State will/has incorporated this state directed payment arrangement in the applicable actuarial rate certification(s) (please select one of the options below):
- a. ☐ An adjustment applied in the development of the monthly base capitation rates paid to plans.
 - b. ☒ Separate payment term(s) which are captured in the applicable rate certification(s) but paid separately to the plans from the monthly base capitation rates paid to plans.
 - c. ☐ Other, please describe:
- 32.** States should incorporate state directed payment arrangements into actuarial rate certification(s) as an adjustment applied in the development of the monthly base capitation rates paid to plans as this approach is consistent with the rate development requirements described in 42 C.F.R. § 438.5 and consistent with the nature of risk-based managed care. For state directed payments that are incorporated in another manner, particularly through separate payment terms, provide additional justification as to why this is necessary and what precludes the state from incorporating as an adjustment applied in the development of the monthly base capitation rates paid to managed care plans.
- The certification will provide the methodology that will be used by DHCS to allocate actual payments associated with this payment arrangement. The estimated impacts of this payment arrangement on a PMPM basis will be provided in a supporting exhibit, but the estimated PMPM add-ons will not be included in the final rate ranges. A separate payment term is necessary in order to calculate and pay on actual utilization. The separate payment term was designed to meet the objectives outlined in the quality strategy to deliver effective, efficient, affordable care.
- 33.** ☒ In accordance with 42 C.F.R. § 438.6(c)(2)(i), the State assures that all expenditures for this payment arrangement under this section are developed in accordance with 42 C.F.R. § 438.4, the standards specified in 42 C.F.R. § 438.5, and generally accepted actuarial principles and practices.

SECTION VI: FUNDING FOR THE NON-FEDERAL SHARE

- 34.** Describe the source of the non-federal share of the payment arrangement. Check all that apply:
- a. ☐ State general revenue
 - b. ☒ Intergovernmental transfers (IGTs) from a State or local government entity
 - c. ☐ Health Care-Related Provider tax(es) / assessment(s)
 - d. ☐ Provider donation(s)
 - e. ☐ Other, specify:
- 35.** For any payment funded by IGTs (option b in Question 34),
- a. Provide the following (respond to each column for all entities transferring funds). If there are more transferring entities than space in the table, please provide an attachment with the information requested in the table.

Table 4: IGT Transferring Entities

Name of Entities transferring funds (enter each on a separate line)	Operational nature of the Transferring Entity (State, County, City, Other)	Total Amounts Transferred by This Entity	Does the Transferring Entity have General Taxing Authority? (Yes or No)	Did the Transferring Entity receive appropriations? If not, put N/A. If yes, identify the level of appropriations	Is the Transferring Entity eligible for payment under this state directed payment? (Yes or No)
i. See PY1 - CY 2023 - Attachment 2 - DHDP - T					
ii.					
iii.					
iv.					
v.					
vi.					
vii.					
viii.					
ix.					
x.					

- b. ☐ Use the checkbox to provide an assurance that no state directed payments made under this payment arrangement funded by IGTs are dependent on any agreement or arrangement for providers or related entities to donate money or services to a governmental entity.
- c. Provide information or documentation regarding any written agreements that exist between the State and healthcare providers or amongst healthcare providers and/or related entities relating to the non-federal share of the payment arrangement. This should include any written agreements that may exist with healthcare providers to support and finance the non-federal share of the payment arrangement. Submit a copy of any written agreements described above.

The State has yet to enter into any written agreements with potential funding entities relating to the non-federal share of this SDP. The State is not aware of any additional written agreements that may currently exist between healthcare providers and/or related entities to finance the non-federal share specific to this payment arrangement. If this SDP is approved, the State intends to enter into separate agreements with eligible funding entities regarding the provision of voluntary IGTs for this purpose, including a mechanism whereby the transferring entities will certify that the funds are eligible for federal financial participation pursuant to applicable federal regulations.

36. For any state directed payments funded by provider taxes/assessments (option c in Question 34),

- a.** Provide the following (respond to each column for all entries). If there are more entries than space in the table, please provide an attachment with the information requested in the table.

Table 5: Health Care-Related Provider Tax/Assessment(s)

Name of the Health Care-Related Provider Tax / Assessment (enter each on a separate line)	Identify the permissible class for this tax / assessment	Is the tax / assessment broad-based?	Is the tax / assessment uniform?	Is the tax / assessment under the 6% indirect hold harmless limit?	If not under the 6% indirect hold harmless limit, does it pass the “75/75” test?	Does it contain a hold harmless arrangement that guarantees to return all or any portion of the tax payment to the tax payer?
i.						
ii.						
iii.						
iv.						
v.						

- b.** If the state has any waiver(s) of the broad-based and/or uniform requirements for any of the health care-related provider taxes/assessments, list the waiver(s) and its current status:

Table 6: Health Care-Related Provider Tax/Assessment Waivers

Name of the Health Care-Related Provider Tax/Assessment Waiver (enter each on a separate line)	Submission Date	Current Status (Under Review, Approved)	Approval Date
i.			
ii.			
iii.			
iv.			
v.			

37. For any state directed payments funded by **provider donations (option d in Question 34)**, please answer the following questions:

- a.** Is the donation bona-fide? ☐ Yes ☐ No
- b.** Does it contain a hold harmless arrangement to return all or any part of the donation to the donating entity, a related entity, or other provider furnishing the same health care items or services as the donating entity within the class?
☐ Yes ☐ No

38. ☒ **For all state directed payment arrangements**, use the checkbox to provide an assurance that in accordance with 42 C.F.R. § 438.6(c)(2)(ii)(E), the payment arrangement does not condition network provider participation on the network provider entering into or adhering to intergovernmental transfer agreements.

SECTION VII: QUALITY CRITERIA AND FRAMEWORK FOR ALL PAYMENT ARRANGEMENTS

39. ☐ Use the checkbox below to make the following assurance, “In accordance with 42 C.F.R. § 438.6(c)(2)(ii)(C), the State expects this payment arrangement to advance at least one of the goals and objectives in the quality strategy required per 42 C.F.R. § 438.340.”
40. Consistent with 42 C.F.R. § 438.340(d), States must post the final quality strategy online beginning July 1, 2018. Please provide:
- a. A hyperlink to State’s most recent quality strategy: <https://www.dhcs.ca.gov/services/Documents/Formatted-Combined-CQS-2-4-22.pdf>
 - b. The effective date of quality strategy. February 4, 2022
41. If the State is currently updating the quality strategy, please submit a draft version, and provide:
- a. A target date for submission of the revised quality strategy (month and year): Jun-23
 - b. Note any potential changes that might be made to the goals and objectives.
- Addendum to include quality goals and standards for long-term care and D-SNP/Medi-Cal plans.

Note: The State should submit the final version to CMS as soon as it is finalized. To be in compliance with 42 C.F.R. § 438.340(c)(2) the quality strategy must be updated no less than once every 3-years.

- 42.** To obtain written approval of this payment arrangement, a State must demonstrate that each state directed payment arrangement expects to advance at least one of the goals and objectives in the quality strategy. In the Table 7 below, identify the goal(s) and objective(s), as they appear in the Quality Strategy (include page numbers), this payment arrangement is expected to advance. If additional rows are required, please attach.

Table 7: Payment Arrangement Quality Strategy Goals and Objectives

Goal(s)	Objective(s)	Quality strategy page
<i>Example: Improve care coordination for enrollees with behavioral health conditions</i>	<i>Example: Increase the number of managed care patients receiving follow-up behavior health counseling by 15%</i>	5
a. Data-driven improvements that address the whole person.		Medi-Cal Managed Care Quality Strategy Report, Page 5
b. Providing early interventions for rising risk and patient-centered chronic disease management.		Medi-Cal Managed Care Quality Strategy Report, Page 5
c.		
d.		

- 43.** Describe how this payment arrangement is expected to advance the goal(s) and objective(s) identified in Table 7. If this is part of a multi-year effort, describe this both in terms of this year's payment arrangement and in terms of that of the multi-year payment arrangement.

The State will direct MCPs to make enhanced payments to district hospitals, as defined in Question No. 20b, based on actual utilization of contracted services. These directed payments are expected to enhance quality, including the patient care experience, by supporting core safety-net providers in California to deliver effective, efficient, and affordable care, including primary, specialty, and inpatient (both tertiary and quaternary) care.

This SDP addresses children's preventive care and maternity care and birth equity. These clinical areas address the foundations of health (i.e., preventive efforts that have long-lasting impact from infants to seniors). Addressing child and maternal health and behavioral health for all populations will reduce chronic diseases and serious illnesses in the decades to come.

Access to care is the first step in realizing quality, health, and improved outcomes. This program will support the goals of promoting access and increasing credibility and accuracy of encounter reporting by the district hospitals, which deliver critical care to Medi-Cal beneficiaries every day. In addition, this SDP creates a robust data monitoring and reporting mechanism with strong incentives for data, especially since this proposal links payments to actual reported encounters. This information will enable dependable data-driven analysis, issue spotting, and solution design to guide care management and care coordination needs, and identify and mitigate social drivers of health to reduce health care disparities.

44. Please complete the following questions regarding having an evaluation plan to measure the degree to which the payment arrangement advances at least one of the goals and objectives of the State's quality strategy. To the extent practicable, CMS encourages States to utilize existing, validated, and outcomes-based performance measures to evaluate the payment arrangement, and recommends States use the [CMS Adult and Child Core Set Measures](#), when applicable.

- a.** ☒ In accordance with 42 C.F.R. § 438.6(c)(2)(ii)(D), use the checkbox to assure the State has an evaluation plan which measures the degree to which the payment arrangement advances at least one of the goals and objectives in the quality strategy required per 42 C.F.R. § 438.340, and that the evaluation conducted will be *specific* to this payment arrangement. *Note:* States have flexibility in how the evaluation is conducted and may leverage existing resources, such as their 1115 demonstration evaluation if this payment arrangement is tied to an 1115 demonstration or their External Quality Review validation activities, as long as those evaluation or validation activities are *specific* to this payment arrangement and its impacts on health care quality and outcomes.

- b.** Describe how and when the State will review progress on the advancement of the State's goal(s) and objective(s) in the quality strategy identified in Question 42. For each measure the State intends to use in the evaluation of this payment arrangement, provide in Table 8 below: 1) the baseline year, 2) the baseline statistics, and 3) the performance targets the State will use to track the impact of this payment arrangement on the State's goals and objectives. Please attach the State's evaluation plan for this payment arrangement.

TABLE 8: Evaluation Measures, Baseline and Performance Targets

Measure Name and NQF # (if applicable)	Baseline Year	Baseline Statistic	Performance Target	Notes ¹
<i>Example: Flu Vaccinations for Adults Ages 19 to 64 (FVA-AD); NQF # 0039</i>	<i>CY 2019</i>	<i>34%</i>	<i>Increase the percentage of adults 18–64 years of age who report receiving an influenza vaccination by 1 percentage point per year</i>	<i>Example notes</i>
i. Child and Adolescent Well Care Visits	CY 2021	47.51%	Increase MCAS measure by 2%	NCQA Measure
ii. Prenatal and Postpartum Care	CY 2021	Postpartum Care (81.39%) Prenatal Care (87.57%)	Increase MCAS measure by 1%	NCQA Measure
iii. Depression Screening and FU (Adol/Adults)	CY 2021	Ages 12–17 Years (21.37%) Ages 18–64 Years (13.00%)	Increase MCAS measure by 2%	CMS Measure
iv. See PY1 - CY 2023 - Attachment 3 - DHDP - Evaluation Plan				

1. If the State will deviate from the measure specification, please describe here. If a State-specific measure will be used, please define the numerator and denominator here. Additionally, describe any planned data or measure stratifications (for example, age, race, or ethnicity) that will be used to evaluate the payment arrangement.

- c. If this is any year other than year 1 of a multi-year effort, describe (or attach) prior year(s) evaluation findings and the payment arrangement's impact on the goal(s) and objective(s) in the State's quality strategy. Evaluation findings must include 1) historical data; 2) prior year(s) results data; 3) a description of the evaluation methodology; and 4) baseline and performance target information from the prior year(s) preprint(s) where applicable. If full evaluation findings from prior year(s) are not available, provide partial year(s) findings and an anticipated date for when CMS may expect to receive the full evaluation findings.
Not applicable.

Mercer Caveats

State of California Department of Health Care Services

December 23, 2022

This Excel file covers reimbursement analyses and other preprint support for CY 2023 CA 438.6(c) state directed payment preprints for DHDP.

This Excel file is prepared on behalf of the State of California Department of Health Care Services, and is intended to be relied upon by solely by the State of California Department of Health Care Services. It should be read in its entirety and has been prepared under the direction of Katherina Katterman, ASA, MAAA, and Jie Savage, ASA, MAAA, who are members of the American Academy of Actuaries and meet its US Qualification Standards for issuing the statements of actuarial opinion herein. They are available at katherina.katterman@mercero.com and jie.savage@mercero.com if this audience has questions.

To the best of Mercer's knowledge, there are no conflicts of interest in performing this work.

The suppliers of data are solely responsible for its validity and completeness. We have reviewed the data and information for internal consistency and reasonableness, but we did not audit it. All estimates are based upon the information and data available at a point in time and are subject to unforeseen and random events, and actual experience will vary from estimates.

Mercer expressly disclaims responsibility, liability, or both for any reliance on this communication by third parties or the consequences of any unauthorized use.

Attachment 1 – Table 2

CY 2023 Medi-Cal 438.6(c) Draft Preprint Support

DHDP					
Provider Payment Analysis					
Percentage of Medicare					
Provider Class(es)	Average Base Payment Level from Plans to Providers (absent the SDP)	Effect on Total Payment Level of State Directed Payment (SDP)	Effect on Total Payment Level of Other SDPs	Effect on Total Payment Level of Pass-Through Payments (PTPs)	Total Payment Level (after accounting for all SDPs and PTPs)
District Hospitals – Inpatient Hospital Services	68.0%	19.6%	14.7%	13.6%	116.0%
District Hospitals – Outpatient Hospital and Emergency Room Services	30.1%	7.0%	5.4%	0.0%	42.5%

Provider Class(es)	Average Base Payment Level from Plans to Providers (absent the SDP)	Effect on Total Payment Level of State Directed Payment (SDP)	Effect on Total Payment Level of Other SDPs	Effect on Total Payment Level of Pass-Through Payments (PTPs)	Total Payment Level (after accounting for all SDPs and PTPs)
District Hospitals – Inpatient Hospital Services	33.8%	9.7%	7.3%	6.8%	57.6%

Attachment 2 – DHDP Table 4

Name of Entities transferring funds	Operational Nature of the Transferring Entity	Total Amounts Transferred by this Entity	Does the Transferring Entity Have General Taxing Authority	Did the Transferring Entity receive appropriations? If not, put N/A. If yes, Identify the level of appropriations	Is the Transferring Entity eligible for payment under this state directed payment?
Antelope Valley Healthcare District	Special District	TBD	Yes	To the best of the State's knowledge, the entity has not received State appropriations specific to PY 1 at this time. The nonfederal share of this payment will consist of voluntary IGTs for which the transferring entity will certify that the transferred funds qualify for federal financial participation.	Yes
Bear Valley Community Healthcare District	Special District	TBD	Yes		Yes
Eastern Plumas Health Care	Special District	TBD	Yes		Yes
El Camino Hospital	Special District	TBD	Yes		Yes
El Centro Regional Medical Center	City	TBD	Yes		Yes
Hazel Hawkins Memorial Hospital	Special District	TBD	Yes		Yes
John C. Fremont Healthcare District	Special District	TBD	Yes		Yes
Kaweah Delta Health Care District	Special District	TBD	Yes		Yes
Kern Valley Healthcare District	Special District	TBD	Yes		Yes
Last Frontier Healthcare District dba Modoc Medical Center	Special District	TBD	Yes		Yes
Lompoc Valley Medical Center	Special District	TBD	Yes		Yes
Marin Health Medical Center	Special District	TBD	Yes		Yes
Mayers Memorial Hospital District	Special District	TBD	Yes		Yes

Mountain Communities Healthcare District (dba Trinity Hospital)	Special District	TBD	Yes		Yes
Northern Inyo Healthcare District	Special District	TBD	Yes		Yes
Oak Valley Hospital District	Special District	TBD	Yes		Yes
Palo Verde Healthcare District	Special District	TBD	Yes		Yes
Palomar Health	Special District	TBD	Yes		Yes
Pioneers Memorial Healthcare District	Special District	TBD	Yes		Yes
Plumas Hospital District	Special District	TBD	Yes		Yes
Salinas Valley Memorial Healthcare System	Special District	TBD	Yes		Yes
San Bernardino Mountains Community Hospital District	Special District	TBD	Yes		Yes
San Geronio Memorial Healthcare District	Special District	TBD	Yes		Yes
Seneca Healthcare District	Special District	TBD	Yes		Yes
Sierra View Local Health Care District	Special District	TBD	Yes		Yes
Sonoma Valley Health Care District dba Sonoma Valley Hospital	Special District	TBD	Yes		Yes
Southern Humboldt Community Health District	Special District	TBD	Yes		Yes
Southern Inyo Healthcare District	Special District	TBD	Yes		Yes
Southern Mono Healthcare District dba Mammoth Hospital	Special District	TBD	Yes		Yes
Surprise Valley Health Care District	Special District	TBD	Yes		Yes

Tahoe Forest Hospital District	Special District	TBD	Yes		Yes
Tri-City Medical Center	Special District	TBD	Yes		Yes
Washington Township Health Care District	Special District	TBD	Yes		Yes

ATTACHMENT 3

438.6(c) Proposal – Uniform Dollar Increase for District Hospital Services

Annual Evaluation Plan

Program Year (PY) 1: January 1, 2023 – December 31, 2023

Evaluation Purpose

The purpose of this evaluation is to determine if the proposed directed payments made through the California Department of Health Care Services (DHCS) Medi-Cal managed care health plans (MCPs) to Network Provider district and municipal public hospitals (DMPHs) for eligible contracted services results in preserving or improving access to and services for all MCP members.

Stakeholders

- MCPs
- California Association of Health Plans (CAHP)
- California Hospital Association (CHA)
- District Hospital Leadership Forum (DHLF)
- Local Health Plans of California (LHPC)

Annual Evaluation Questions

This evaluation is designed to answer the following questions:

1. Do higher DMPH payments, via the proposed PY 1 directed payments, serve to maintain or improve the performance of the Child and Adolescent Well Care Visit Medi-Cal Managed Care Accountability Sets (MCAS) measure?
2. Do higher DMPH payments, via the proposed PY 1 directed payments, serve to maintain or improve the performance of the Prenatal and Postpartum Care: Prenatal Care MCAS measure?
3. Do higher DMPH payments, via the proposed PY 1 directed payments, serve to maintain or improve the Depression Screening and Follow Up MCAS measure?

Evaluation Design and Data Collection

The State will conduct quality assessments focusing on MCP performance as defined by nationally standardized quality and access to care measures and in the context of the State's Comprehensive Quality Strategy. The baseline for comparison will be Measurement Year (MY) 2021. This directed payment program was specifically designed so that payments to DMPHs are determined based on actual utilization data as demonstrated from the MCP-submitted encounter data received by DHCS. This design encourages increased collaboration among DMPHs and MCPs to ensure that the encounter data received by DHCS accurately reflects the actual utilization that has taken place during the defined time period. This is likely to result in a substantial increase in encounter reporting for all service categories starting in PY 1 and continuing to improve over time. To that end, the results of any of the evaluation assessments

stated below need to consider the material increase to the volume of encounter data submissions.

MCPs are required to report MCAS performance measures to DHCS in tandem with submission of performance data to NCQA by June 15th for the prior MY. In accordance with federal regulations, external quality review organization (EQRO)—Health Services Advisory Group (HSAG), conducts annual Healthcare Effectiveness Data and Information Set (HEDIS) audits of MCPs' MCAS data compilation to ensure that they are able to report data in accordance with NCQA specifications as pertains to the performance measures used to measure MCPs' quality performance. HSAG distills MCP-reported data and formats it into rate sheets that HSAG designs under the direction of the State. These rate sheets serve as tools for performing data checks and analysis. Additionally, these performance rates will be reported in annual External Quality Review Technical Report and MCP-specific evaluation reports. The impact to managed care enrolled populations measured with these metrics will represent the overall impact of the directed payment program targeting specific subsets of Network Providers.

Timeline

All data necessary for quality measurement will be reported after a sufficient lag period post-PY. The State will use MCP data submitted via MCAS rate sheets to assess the impact of the directed payment program no sooner than 12 months after the PY.

Communication and Reporting

The results will be shared with the stakeholders listed above and a report will be shared with CMS. Annual reports will also be posted on the State's [directed payment webpage](#) and [Medi-Cal Managed Care Quality Improvement Reports webpage](#).