



## UPDATE Health Law Pulse

April 2014

# Deadline Extended in Massachusetts for Submitting Public Comments on Proposed Provider Organization Registration Regulation

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The Massachusetts Health Policy Commission (HPC) recently extended the deadline for submitting written testimony and comments on a [proposed regulation](#) (Proposed Regulation) regarding registration of provider organizations to noon on April 11, 2014.

The Proposed Regulation implements registration requirements in Massachusetts General Law Chapter 6D Section 11 that mandate biennial registration of certain providers, provider organizations, and contracting provider organizations in Massachusetts with the HPC and annual reporting on elements of the organizational, operational, and financial practices of such entities. For the purposes of the Proposed Regulation, a provider is any person or organization who furnishes or is paid for health care services or is otherwise qualified to do so under the laws of Massachusetts. A provider organization may be any organized group in the business of health care delivery or management that represents one or more health care providers in contracting for payment for health care services, including physician-hospital organizations, provider networks, and accountable care organizations. A contracting provider organization acts on behalf of one or more providers or provider organizations to establish contracts with carriers or third-party administrators. Providers, provider organizations, and contracting provider organizations are referred to collectively as "Provider Organizations" below. The Proposed Regulation would apply to any Provider Organization that has received \$25 million or more in net patient service revenue (gross patient service revenue less contractual adjustments) and has a patient panel of 15,000 or higher as of the end of its last fiscal year.

The Proposed Regulation would require each Provider Organization that meets the above criteria as of April 1, 2014, to file a registration application with the HPC. As proposed, an application for registration with the HPC requires Provider Organizations to disclose ownership, governance, and operational structure information; a listing of corporate and contractual affiliates; the number of health care professional full-time equivalents by license type and specialty; the name and address of each facility owned or controlled by the Provider Organization; information on utilization; and the total revenue by payer. Registered Provider Organizations would be required to file renewal applications biennially. A Provider Organization that does not meet the above criteria as of April 1, 2014, but subsequently meets that criteria, would be required to file an application for registration within 90 days of meeting such criteria. The HPC also reserves the right to require at any time additional information reasonable and necessary to determine the financial condition, organizational structure, market share, or business practices of a registered Provider Organization.

Written testimony and comments may be sent electronically to [HPC-regulations@state.ma.us](mailto:HPC-regulations@state.ma.us) or via mail to Lois Johnson, General Counsel, Health Policy Commission, Two Boylston Street, 6th Floor, Boston, MA 02116. All submissions must include the sender's full name and address.

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If you have any questions about the Proposed Regulation, or would like assistance in submitting a

comment to the HPC, please contact any member of the Robinson & Cole [Health Law Practice Group](#):

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