

SUMMARY

Medicare Executive Order

Background

On October 3, 2019, President Trump signed an Executive Order (EO) 13890 on *Protecting and Improving Medicare for Our Nation's Seniors*. The EO sets forth upcoming agency deliverables "to protect and improve Medicare by building on those aspects that work well, including the market-based approaches in the current system. . . . [and to] empower patients to select and access the right care, at the right time, in the right place, from the right provider." Specific deliverables are below:

Topic	Deliverable	Description	Agency	Date
<i>Providing More Plan Choices to Seniors</i>				
	Proposed rule	<ul style="list-style-type: none"> Encourage innovative MA benefit structures and plan designs Enable supplemental MA benefits to allow Medicare beneficiaries to share directly in the savings Ensure that FFS Medicare is not advantaged or promoted over MA 	Health & Human Services (HHS)	On or before October 2, 2020 ¹
	Report	Identify approaches to: <ul style="list-style-type: none"> Modify Medicare FFS payments to more closely reflect the prices paid for services in MA and the commercial insurance market Encourage more robust price competition Inject market pricing into Medicare FFS reimbursement 	HHS and Council of Economic Advisors	On or before March 31, 2020 ²
<i>Improving Access Through Network Adequacy</i>				
	Proposed rule	Adjust requirements to account for: <ul style="list-style-type: none"> Competitiveness of state health markets, including certificate of need laws Enhanced access via telehealth services of other innovative technologies 	HHS	On or before October 2, 2020 ¹
<i>Enabling Providers to Spend More Time with Patients</i>				
	Proposed rule	Eliminate Medicare program requirements that are more stringent than Federal or State laws and limit professionals from top of licensure practice	HHS	On or before October 2, 2020 ¹

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	Proposed rule	Ensure appropriate Medicare reimbursement for time spent with patients by both primary and specialist health providers	HHS	On or before October 2, 2020 ¹
	Proposed rule	Eliminate reimbursement disparities based on work performed between physicians and non-physician practitioners	HHS	On or before October 2, 2020 ¹
<i>Encouraging Innovation for Patients</i>				
	Proposed rule or sub-regulatory changes	streamline the approval, coverage, and coding process for innovative products to improve speed to market and appropriately reimburse and promote availability	HHS	On or before October 2, 2020 ¹
	Proposed rule or sub-regulatory changes	Revise the Value-Based Insurance Design payment model to remove disincentives for MA plans to cover use of new technologies not covered by FFS Medicare	HHS	On or before October 2, 2020 ¹
<i>Rewarding Care through Site Neutrality</i>				
	Not specified ³	Ensure that Medicare payments and policies encourage competition and a diversity of sites for patients to access care	HHS	Not specified ³
<i>Empowering Patients, Caregivers, and Health Providers</i>				
	Proposed rule	Provide seniors with better quality care and cost data	HHS	On or before October 2, 2020 ¹
	Not specified ³	Provide Medicare claims data to health providers to identify practice patterns with undue risks, outliers or outside recommended standards of care	HHS	On or before October 2, 2020 ¹
<i>Eliminating Waste, Fraud and Abuse to Protect Beneficiaries and Taxpayers</i>				
	Proposed rule or sub-regulatory changes	Combat fraud, waste and abuse, including through technologies such as artificial intelligence	HHS	Effective January 1, 2021 and annually thereafter
	Report	Recommend approaches to transition to true market-based pricing for Medicare FFS	HHS	On or before March 31, 2020 ²
<i>Reducing Obstacles to Improved Patient Care</i>				
	Proposed rule	Reduce provider burden and eliminate inefficiencies or undermining of patient outcomes	HHS	On or before October 2, 2020 ¹

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Maximizing Freedom for Medicare Patients and Providers				
	Proposed rule or policy revision	Preserve Social Security retirement benefits for seniors electing to forego Medicare Part A and propose other administrative improvements to the Medicare enrollment process	HHS with Commissioner of Social Security	On or before March 31, 2020 ²
	Not specified ³	Identify and remove barriers to private contracts that permit beneficiaries freedom of choice and market-driven pricing	HHS	On or before October 2, 2020 ¹

¹The EO stated “within 1 year of the date of this order” (October 3, 2019).

²The EO stated “within 180 days of the date of this order” (October 3, 2019).

³“Not Specified” denotes that the EO was silent as to either the delivery means and/or timeframe.

For More Information, Please Contact:

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