July 19, 2020

The Honorable Alex Azar The Honorable Russell Vought

Secretary Acting Director

Department of Health and Human Services Office of Management and Budget

200 Independence Ave. SW 725 17th St. NW

Washington, DC 20201 Washington, DC 20503

Dear Secretary Azar and Acting Director Vought:

On behalf of the below health systems, which provide care for millions of patients across Wisconsin and collectively employ over 110,000 Wisconsinites, we encourage you to finalize – as soon as possible – the Centers for Medicare & Medicaid Services (CMS) and Office of Inspector General (OIG) proposed reforms to the Stark Law and Anti-Kickback Statute (AKS) regulations. These improvements will allow providers to better coordinate care, advance population health initiatives, and lower health care costs.

The Stark Law and AKS are outdated and onerous regulations that create tremendous burdens on the practice of medicine and do not reflect the modern, value-based health care system. The CMS and OIG proposals will reform these regulations to facilitate innovative arrangements that can better address population health and care coordination. In particular, changes could allow providers to support community programming and create partnerships with public health entities to drive broader care improvements that are currently not possible under existing requirements.

We commend CMS and the OIG for their thoughtful and deliberative approach that balances the need to allow innovative arrangements and shared accountability under value-based care with the need to maintain protections against fraud and abuse.

These reforms were part of the original priorities outlined by Secretary Azar when he began his leadership of HHS, and the subject of a rigorous consensus building process, which included detailed responses to Requests for Information in 2018 and multiple roundtables. The rules were first proposed in October 2019 and the comment period closed at the end of the year, leaving ample time for deliberation by the Department of Health and Human Services (HHS) and Office of Management and Budget (OMB).

We respectfully encourage you to finalize the proposed rules as soon as possible.

Sincerely,







