

The All-Payer Model Agreement does not disturb federal patient protections under the Social Security Act for those covered by Medicare

- The APM Agreement **does not change** federal protections for Medicare beneficiaries:
 - The Social Security Act continues to protect patient choice of providers and institutions (Section 1395a of the SSA, “Free Choice by Patient Guaranteed”)
 - The Social Security Act continues to define Medicare enrollees’ entitlement to coverage for the same scope of services (Section 1395d [Medicare Part A] and 1395k [Medicare Part B] of the SSA)

- The APM Agreement only changes **how health care is paid for and delivered**, as provided for under federal law:
 - The Center for Medicare and Medicaid Innovation (CMMI) was created to test innovative payment and service delivery models while “**preserving or enhancing the quality of care**” furnished to covered individuals (Section 1115A (a)(1) of the SSA)
 - CMMI’s focus is on models expected to reduce costs while “preserving or enhancing the quality of care” including those that test and evaluate systems of all-payer payment reform for the medical care of residents of the State (Section 1115A (b)(2) of the SSA)

- The APM Agreement contains **express protections** for Medicare beneficiaries to ensure that their federally-protected benefits are not limited:
 - The Agreement specifically confirms that Medicare patients retain freedom to choose their providers and retain access to the same scope of covered services