Frequently Asked Questions (FAQs)
CYE 2021 DAP Requirements

Last updated: April 14, 2020

The Arizona Health Care Cost Containment System (AHCCCS) established the Differential Adjusted Payment (DAP) program to distinguish Medicaid providers that have committed to supporting designated actions that improve patients’ care experience, improve members’ health and reduce cost of care growth.

An integral part of DAP incentives for many eligible Medicaid providers includes participation in and connectivity to a qualifying Health Information Exchange (HIE). As Arizona’s statewide HIE, Health Current is here to support your participation in the AHCCCS DAP Contract Year End (CYE) 2021 program.

AHCCCS published its DAP CYE 2021 Preliminary Public Notice on March 6, 2020, and public comments are due before or on April 6, 2020.

All eligible providers that have DAP incentives available related to HIE must complete certain milestones, including submission of a letter of intent (LOI) to AHCCCS and Health Current for each DAP incentive/Provider Type they intend to apply for by May 1, 2020, to receive the DAP financial incentives. Visit healthcurrent.org/DAP to learn more.

General Questions

1. **How does an AHCCCS provider know if they qualify for DAP?**
   Proposed eligibility for the DAP Program is outlined in the AHCCCS Preliminary Public Notice including specific AHCCCS Provider Types that may qualify for each DAP.

2. **Can AHCCCS providers participate in more than one incentive offered in the DAP program?**
   Yes. DAP qualification is by AHCCCS Provider ID and each Provider ID can only be associated with one provider type. The AHCCCS provider should submit a Letter of Intent for each DAP incentive/Provider Type for which the provider wishes to participate. Within the LOI templates for each AHCCCS provider type, there is a section at the end of the template to list all of the provider’s facilities that qualify and are interested to participate for that particular incentive. It is also helpful to list each AHCCCS/Provider ID that will participate in that DAP Program area.

3. **Do behavioral health residential facilities qualify for DAP?**
   Eligibility for the DAP incentives is based on AHCCCS Provider Type. AHCCCS has listed the eligible provider types for CYE2021 Differential Adjusted Payments on page 1 of the
Preliminary Public Notice (3/06/2020 – see link above) and by specific Provider Type throughout the Notice.

4. **Are FQHCs eligible for DAP? If so, how would an FQHC be paid?**
   AHCCCS has listed the eligible provider types for CYE2021 Differential Adjusted Payment on page 1 of the Preliminary Public Notice (3/06/2020) and by specific Provider Type throughout the Notice. FQHC (Provider Type C2) and Rural Health Centers (Provider Type 29) are not eligible for DAP incentives. However, it is possible that an entity with Type C2 or Type 29 facilities may also operate an Integrated Clinic (Type IC) or a Behavioral Health Outpatient Clinic (Type 77) that is separate from the FQHC/RHC entity and would be eligible for a DAP under that provider type.

   The PPS rate for FQHC/RHCs are only related to the entity’s Provider Type C2 and 29 services. The DAP would not apply to the PPS rate if an FQHC organization did qualify for the DAP under a different AHCCCS provider type. The DAP would only apply to the AHCCCS fee-for-service (FFS) schedule that are tied to the qualifying provider type and are not paid under the PPS rate structure. More details about how payments will be made are included in the Preliminary Public Notice (see link above).

5. **Is the DAP adjustment to contracted MCO plan rates or the AHCCCS FFS rates?**
   From the CYE2021 Preliminary Public Notice (3/06/2020), page 1 – “The DAP Schedule represents a positive adjustment to the AHCCCS Fee-For-Service (FFS) rates… Unless otherwise specified, AHCCCS managed care organizations (MCOs; including Regional Behavioral Health Authorities - RBHAs) will be required to pass-through DAP increases to their contracted rates to match the corresponding AHCCCS FFS rate increase percentages. Under a given DAP initiative, the DAP increase may be applicable to all claims paid to a provider or may be limited to claims for a subset of select services. This notice describes how the DAP increase will be applied for each initiative.”

6. **If we are already meeting these milestones as part of other programs, do we still need to submit the LOI for DAP?**
   The CYE2021 Preliminary Public Notice (3/06/2020 – see link above) includes the following language for each DAP Provider Type subject to Health Information Exchange (HIE) requirements: “In order to receive the [XX]% DAP increase for HIE participation a (provider) must submit an LOI to the HIE and AHCCCS by May 1, 2020 at the following email addresses:

   \[FFSRates@azahcccs.gov, and\]
   \[ceo@healthcurrent.org\]

   If a (provider) has already achieved one or more of the CYE 2021 milestones as of May 1, 2020, the LOI must include a commitment by to maintain its participation in those milestone activities for the period May 1, 2020 through September 30, 2021.” A provider must submit an LOI for each DAP incentive/Provider Type they intend to apply for.
7. With the CDC guidelines for COVID-19, are verbal agreements from patients acceptable for purposes of meeting the requirements for participant healthcare providers pursuant to the Arizona HIO Law (A.R.S. 36-3801 – 3809)?

The Arizona HIO law requires “healthcare providers” to adhere to two requirements:

- **Provision of Notice of Health Information Practices:**

  A health care provider must “distribute and document the distribution of the health information organization's notice of health information practices in the same circumstances and in the same manner as the health care provider is required to distribute and document a notice of privacy practices by the health insurance portability and accountability act (45 Code of Federal Regulation section 164.520(c)(2) and (3)).”
  A.R.S. § 36-3804(E).

- **Opportunity for Patient to Opt Out:**

  “If an individual provides a notice of opt out to a health care provider, the health care provider must promptly provide that notice to the health information organization.”
  A.R.S. § 36-3803.

Health Current suggests that healthcare providers consider recent changes to their requirements under the Health Insurance Portability and Accountability Act (HIPAA) to guide compliance with the Arizona HIO Law.

8. We are a FQHC and we see Family Practice patients and Behavioral Health patients. We participate and share information with the HIE. Do we qualify if our Behavioral Health notes are locked and confidential meaning that they are not automatically uploaded to HIE but are available if someone requests them?

Eligibility for the DAP Program is based on Provider Type. AHCCCS has listed the eligible provider types for CYE2021 Differential Adjusted Payment on page 1 of the Preliminary Public Notice (3/06/2020) and by specific Provider Type throughout the Notice.

However, if your organization does qualify under the AHCCCS Provider Types as identified in the preliminary notice, the following applies to the HIE data submission requirements, if the DAP incentive for which the organization qualifies has a data submission component:

“For any milestone that includes electronic submission of patient information, the information transferred to the qualifying HIE must be actual patient data; the transfer of test data does not fulfill these requirements. It must include all patient data, including behavioral health data and data covered by 42 C.F.R. Part 2.”
Health Current’s technology infrastructure is able to protect confidential records that are covered by 42 C.F.R. Part 2, as required by SAMHSA. If you have any questions about this capability, please contact your Health Current account manager.

9. **Is the public notice review due on April 6 mandatory or optional in order to meet milestones?**

The comment period deadline of April 6, 2020 as noted in the Preliminary Public Notice is an opportunity for stakeholders to submit written comments on the DAP Program to AHCCCS for review and consideration before the Final Public Notice is published around April 30, 2020. It is not mandatory to respond with comments, nor does a response to the comment period or lack thereof effect eligibility for DAP. From the CYE2021 Preliminary Public Notice (3/06/2020), page 26 – “Written comments may be submitted to the following email address and must be received no later than 5:00 p.m. on April 6, 2020: FFSRates@azahcccs.gov.”

10. **How are the DAP payments received? Are they paid in a separate check to the health plan?**

From the CYE2021 Preliminary Public Notice (3/06/2020), page 1 – “The DAP Schedule represents a positive adjustment to the AHCCCS Fee-For-Service (FFS) rates… Unless otherwise specified, AHCCCS managed care organizations (MCOs; including Regional Behavioral Health Authorities - RBHAs) will be required to pass-through DAP increases to their contracted rates to match the corresponding AHCCCS FFS rate increase percentages.”

DAP payments made by the AHCCCS managed care organizations (MCOs) to qualifying providers are included in the MCO’s capitation rates developed each year by AHCCCS.

11. **If we already have a Participation Agreement, would we need to a new one?**

No. A provider with a current, active Participation Agreement would not need to execute a new one.

12. **What does HIE stand for?**

HIE stands for Health Information Exchange. In Arizona, Health Current is the state’s designated HIE.

13. **To verify an Agency would need to review the Preliminary Notice on the AHCCCS Website to determine which services are eligible for the DAP correct? When I say service, the service the provider type 77, provides to the patient, say counseling services.**

Eligibility for the DAP Program is based on AHCCCS Provider Type. AHCCCS has listed the eligible provider types for CYE2021 Differential Adjusted Payments on page 1 of the Preliminary Public Notice (3/06/2020 – see link above) and by specific Provider Type throughout the Notice. This list includes Behavioral Health Outpatient Clinics (Provider Type 77) and Integrated Clinics (Provider Type IC).
In addition, the Preliminary Public Notice (3/06/2020 – see link above) outlines which services each DAP would apply to in CYE 2021. For example, the up to 2.5% Health Information Exchange Participation DAP for Hospitals Subject to APR-DRG Reimbursement is eligible for both inpatient and outpatient services.

14. **If you are new what’s the first step?**
   If you do not have a current Participation Agreement with Health Current, please contact our Recruitment Team at recruitment@healthcurrent.org or call 602-688-7215.

15. **Where can I locate templates for the Letters of Intent (LOI)?**
   Templates for the DAP Letters of Intent are located on the Health Current website at healthcurrent.org/DAP.

16. **If we have changed over from one EHR to a new EHR what would we need to do?**
   As long as you are an eligible provider type and want to meet the DAP requirements, you can submit a LOI to Health Current and they could assist you with identifying how your EHR can support your DAP goals.

**Behavioral Health Outpatient Clinics (77) & Integrated Clinics (IC)**

1. **For all integrated clinics—40% of services must be behavioral health related? How is this requirement determined by AHCCCS? Is it 40% of total clinic patients?**
   From the CYE2021 Preliminary Public Notice (3/06/2020 – see link at top of document), page 17 – “Behavioral health services for the provider must account for at least 40.0% of total AHCCCS claims and encounters. Utilizing claims and encounter data for dates of service from October 1, 2018 through September 30, 2019, AHCCCS will compute claims and encounters for behavioral health services as a percentage of total claims and encounters as of May 1, 2020 to determine which providers meet the 40% minimum threshold.
   i. Only approved and adjudicated AHCCCS claims and encounters will be utilized in the computations.
   ii. AHCCCS will not consider any other data when determining which providers qualify for the DAP increase.”

2. **What types of outpatient behavioral health providers are eligible for DAP?**
   Eligibility for the DAP Program is based on AHCCCS Provider Type. AHCCCS has listed the eligible provider types for CYE2021 Differential Adjusted Payments on page 1 of the Preliminary Public Notice (3/06/2020 – see link above) and by specific Provider Type throughout the Notice. This list includes Behavioral Health Outpatient Clinics (Provider Type 77) and Integrated Clinics (Provider Type IC). Both Behavioral Health Outpatient
Clinics and Integrated Clinics must be licensed by the Arizona Department of Health Services.

3. **Where are the eligible IC services listed?**
The eligible IC services are listed in the Preliminary DAP Public Notice on Page 28.

**Hospitals, Inpatient Facilities & Indian Health Service/638 Providers**

1. **Our organization is an Indian Health Services (IHS) facility. We are not a Tribally owned 638 facility. Can we apply?**
   From the CYE2021 Preliminary Public Notice (3/06/2020), page 14 – “Hospitals owned and/or operated by Indian Health Services (IHS) **or** under Tribal authority by May 1, 2020 are eligible for a DAP increase under the following criteria.” Therefore, an IHS facility is eligible to participate in DAP.

If you have questions about the DAP Program for CYE 2021 as it relates to HIE milestones or if your organization has not yet signed a Health Current Participation Agreement, please contact recruitment@healthcurrent.org.