



AHI PPS 95/5 Compliance Requirement FAQ

The 95/5 requirement is included within the Special Terms and Conditions (STC) agreement between NYS and CMS under the Partnership Plan 1115 Waiver. The STCs outline the implementation of MRT Waiver Amendment programs, authorized funding sources and uses, and other requirements. Each PPS Lead agreed to comply with the STCs as part of the DSRIP Project Plan Award. Each PPS has the autonomy to allocate funds earned as seen fit to meet DSRIP objectives so long as at least 95% of funds are awarded to qualified safety net (SN) partners and no more than 5% go to non-qualifying safety net partners (NSN).

Q. What is SN status? How was my organization determined to have a DSRIP SN or NSN designation?

A. Each PPS partner is designated either as SN or NSN in the DSRIP performance network tool provided to each PPS. The performance network tool is how each PPS reports funds flow at the close of a DSRIP quarter and how the Independent Assessor (IA), a third-party consulting firm contracted by NYS Department of Health (DOH) to assist in oversight of the DSRIP program, determines if a PPS is in compliance with the 95/5 regulation.

Q. Can my organization change or appeal its NSN status?

A. No. The AHI PPS has had discussions with the IA and at this time there is no way to change or appeal an organization's SN status within the performance network tool.

Q. What if my organization has an SN designation on a different Medicaid Redesign list, but not on the DSRIP performance network reporting tool?

A. For compliance with the 95/5 regulation, a partner must be listed as SN within the AHI PPS Performance Network in the DSRIP reporting tool.

Q. Will my previously approved innovation fund award be paid?

A. If the partner receiving an award is listed on any Medicaid Redesign list, the award will be paid as contracted. If a partner is designated as NSN and does not show up on another Medicaid Redesign list, future payments to that partner will be held pending an SN lead being identified for the project. Please work with your AHI PPS Executive Director (ED) or PHN Lead to determine if an organization in your region may be a good fit to lead the innovation fund project for funds flow purposes.

Q. If my organization is identified as an NSN, will I be paid if an allocation was earned in the DSRIP Year (DY) 3 Pay for Performance (P4P) second installment Population Health Network (PHN) pool distribution?

A. No. For purposes of the second installment PHN distribution, the PPS must follow the DSRIP reporting performance network tool when determining the SN status of a partner. No payments will be made **directly** to an NSN partner. Please reference other FAQ questions for additional information on how an NSN partner may be paid their allocation of the second installment PHN pool.

Q. If an NSN partner was allocated a payment in the DY3 P4P PHN pool, how will that partner receive funds?

A. If an NSN partner is allocated a DY3 P4P installment two PHN payment and can determine an SN lead for funds flow, the NSN partner will be paid their DY3 PHN pool allocation through a downstream payment process.

Q. What information and assistance will the AHI PPS provide for a downstream agreement between SN and NSN partners?

A. A downstream template is available for partners to leverage while developing a downstream agreement between SN and NSN partners. This template was developed with input from the AHI PPS's attorney. Please reach out to your AHI ED/PHN Lead or the DSRIP mailbox (dsripahi@ahihealth.org) for the template. The AHP PPS will use the PHN structure, Triad Leadership and PPS Leadership to assist NSN partners in identifying and developing downstream relationships.

Q. Who should I consider partnering with as an SN lead for my organization?

A. In determining who your organization should partner with, consideration should be given to the following: 1. Having a prior established relationship; 2. Mutual partner connections; 3. An overlapping population; and 4. Regional ties to one another.

Q. What if an SN/NSN downstream agreement cannot be reached?

A. The AHI PPS will bring any undistributed installment two PHN pool dollars back to the regional PHN Triad leads for redistribution in accordance with the 95/5 SN regulation.

Q. How does the 95/5 requirement impact future funds flow?

A. The AHI PPS is currently developing methodology for DY4 payment distributions. Partner SN status will be taken into consideration when determining how funds can flow to partners within the distribution pools. We encourage NSN partners to work with an SN lead for funds distribution.

Please direct any questions regarding SN/NSN status to your AHI ED/PHN Lead or to the AHI PPS DSRIP mailbox at dsripahi@ahihealth.org and your inquiry will be forwarded to the appropriate individual for response.