

If you have questions regarding the information in this alert or would like to receive further information regarding our Health Care Department, please contact:

**Jennifer L. Benedict**  
313.465.7326  
[jbenedict@honigman.com](mailto:jbenedict@honigman.com)

**Scott D. Geromette**  
313.465.7398  
[sgeromette@honigman.com](mailto:sgeromette@honigman.com)

**Ann T. Hollenbeck**  
313.465.7680  
[ahollenbeck@honigman.com](mailto:ahollenbeck@honigman.com)

**Matthew R. Keuten**  
313.465.7510  
[mkeuten@honigman.com](mailto:mkeuten@honigman.com)

**Kenneth R. Marcus**  
313.465.7470  
[kmarcus@honigman.com](mailto:kmarcus@honigman.com)

**Erica D. Partee**  
313.465.7528  
[epartee@honigman.com](mailto:epartee@honigman.com)

**Linda S. Ross**  
313.465.7526  
[lross@honigman.com](mailto:lross@honigman.com)

**Angela Epolito  
Sprecher**  
313.465.7540  
[asprecher@honigman.com](mailto:asprecher@honigman.com)

## The Wait is Over—CMS Issues ACO Proposed Regulations

Today, the Centers for Medicare & Medicaid Services (CMS) issued the long-awaited proposed regulations implementing the section of the Patient Protection and Affordable Care Act relating to Accountable Care Organizations (ACOs). To review the proposed regulations, [click here](#). The proposed rule calls for a 60-day comment period during which CMS encourages all interested parties—including providers and Medicare beneficiaries—to submit comments for CMS's consideration as it develops final regulations.

Also, CMS and the Office of Inspector General (OIG) released a notice on proposed waivers of certain fraud and abuse laws for ACOs. To review the notice, [click here](#). In addition, the Federal Trade Commission (FTC) and the Antitrust Division of the Department of Justice (DOJ) have released a statement on proposed enforcement of antitrust laws for ACOs. A copy of the joint statement is available to [view here](#). Both the CMS/OIG notice and the FTC/DOJ statement provide for a 60-day comment period.

We will all be delving into these proposed regulations in the coming days to better understand how ACOs are required to operate and be eligible for additional payments. If you have any questions related to the proposed regulations, notice or joint statement, please contact any member of the Honigman Health Care Department.