

# PUBLICATION

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## Start Date Delayed for EPM, Cardiac Rehabilitation and CJR Episodes of Care

June 16, 2017

**CMS recently announced that the effective start dates for episodes of care under the Episode Payment Model (EPM), Cardiac Rehabilitation Incentive Payment Model (CR) and the revisions to the Comprehensive Care for Joint Replacement Model (CJR) have been delayed a second time. In its Final Rule published on May 19, 2017, CMS delayed the start dates from October 1, 2017, to January 1, 2018, which means that episodes of care beginning on and after January 1, 2018, will be subject to the EPM, CR and the various changes in CJR. *For detailed discussions of the rulemaking behind these programs, see Baker Donelson's Health Law Alert articles, Proposed Cardiac, Hip and Femur Episode Payment Models Are Next Generation from BPCI and CJR, New Bundled Payments Are a Go... for Now, and Delayed ETA for EPM's – CMS Delays New Bundled Payment Models.***

Originally, CMS set the start date for episodes of care at July 1, 2017, in an initial Final Rule published on January 3, 2017. On March 21, 2017, CMS published an Interim Final Rule moving the start date for episodes of care to October 1, 2017, after the Trump Administration's regulatory freeze on new regulations delayed the implementation of the initial Final Rule. In the May 19, 2017 Final Rule, CMS also confirmed that the end of the regulatory freeze meant that the effective date of the January 3, 2017 Final Rule was May 20, 2017, except for the start dates for EPM, CR and the various changes to CJR.

It is uncertain if CMS will make additional changes to EPM, CR or CJR. CMS explained that, despite numerous comments from stakeholders to delay, cancel or make changes to the Interim Final Rule, it was not prepared to make any other changes. Some of these requests, however, could be addressed in future rule making.