

NHS England publishes first national model contract for accountable care organisations

Many people have been talking about accountable care organisations or ACOs – they build on previous efforts to integrate services, breaking down the traditional divide between primary care, community services and hospitals.

NHS England has recently outlined ambitions for sustainability and transformation partnerships (STPs) to evolve into accountable care systems or ACSs, and proposed that these ACSs might become ACOs but only after “several years”.

The new model contract for ACOs sets out how the integrated system will operate with commissioners and providers. This new contract supersedes the multi-specialty community provider contract or MCP published in December 2016 and the primary and acute care systems or PACS framework published in September 2016.

NHS England’s framework on what ACOs might look like in practice, identifies three broad types – ‘virtual’, ‘partially-integrated’ and ‘fully-integrated’ model depending on the extent of GP integration.

‘Partially-integrated’ model

This approach would create an integrated care system, with commissioners having to re-procure under a single contract, all services except for core general practice. The organisation holding the contract would be required to integrate these services directly with core primary medical services and, would enter into an “integration agreement” with the practices delivering those services in the area. This model would allow GPs to retain their GMS or PMS contracts.

‘Fully-integrated’ model

This version of the contract includes core general practice but with GPs giving up their contractual obligations under a GMS, PMS or APMS contract – either through terminating current contracts or through temporary suspension of those contracts. The document indicates that NHS England is working with the BMA on how such a suspension could be introduced, and they are also in discussion with the Department of Health on changes to regulations to create this option.

Planned changes to support ACOs

The document says that “an effective local health and care system should provide NHS, public health and social care services in a joined-up way for its population, but it is for local commissioners to decide how to achieve this integration.” That said, it is clear that amendments to the GMS and PMS Regulations to allow for suspension of these contracts are required before the most advanced ACO, a ‘fully integrated’ model contract can be used.

Other planned changes to regulations to support the development of ACOs include changes to section 75 Partnership Regulations to enable pooling of budgets for all services delivered by a new care model provider. The expectation is that changes will be made to regulations in

2018; in the interim, NHS England will work with commissioners to ensure current exclusions to section 75 agreements are not a barrier to taking forward these models.

Alongside the model ACO contract, NHS England has published ten supporting documents to assist those early adopters wishing to use the contract. In addition, there is also a Model Alliance Agreement for use with the ‘virtual’ model. The document also highlights a revised set of Department of Health APMS Directions relating to contracts for accountable care, a final version is expected to be published later in the year.

So, what does this mean for commissioners?

NHS England has set out further guidance for those commissioners ready to take forward procurement of an ACO model – the current version of the contract is not intended, at this stage, as a final document suitable for signature as further finessing is required.

For local areas pursuing an ACO using the contract, they will be required to go through the Integrated Support and Assurance Process or ISAP to ensure the contract is indeed fit for their purposes. In advance of ISAP, commissioners are of course welcome to approach NHS England (via england.newbusinessmodels@nhs.net for early, informal advice).

Do get in touch if you require support with your ACO, the [new contractual framework](#) or how to establish the care model in practice– we have a friendly and experienced team of commercial health experts.

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