

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u> *0 </u>	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	<u> 0 </u>	_____	_____	_____	_____

Is Item Included in Current Budget? Yes _____ No X
 Does this item include the use of federal funds Yes _____ No X

Budget Account No.: Fund _____ Dept _____ Unit _____ Rev Source _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

* There is no fiscal impact associated with this Amendment

C. Departmental Fiscal Review: Sam Magienki 8/17/23

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

<p><u>Lisa M... 8/22/2023</u> OFMB 8/22</p>	<p><u>Dr. J. Jacobus 8/30/23</u> Contract Dev. and Control 7/1 8/30/23</p>
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B. Legal Sufficiency

Dr. B... 8/30/23
Assistant County Attorney

C. Other Department Review:

Department Director

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

Attachment
Amendment No 2 (2 pages)

Emergency Triage, Treat, and Transport (ET3) Model Participation Agreement

2023 Amendment No. 2

Amendment to Article I 1.3 of the ET3 Participation Agreement

The Centers for Medicare & Medicaid Services ("CMS") hereby amends the Emergency Triage, Treat, and Transport Model Participation Agreement (the "Agreement") between CMS and Palm Beach County by its Board of County Commissioners (the "Participant") (collectively, the "Parties"), to modify the Agreement's Model Performance Period.

Article XIX 19.3(b) of the Agreement provides that CMS may immediately or with advance notice terminate the Agreement by promptly notifying the Participant, in writing, of the effective date of the termination and the reason for such termination. CMS may terminate the Agreement if CMS determines in its sole discretion that CMS no longer has the funds to support the Model or that continuing the Model is no longer in the public interest.

Article XXI 21.4 of the Agreement provides that CMS may unilaterally amend the Agreement or any Appendix thereto as specified in the Agreement, including its Appendices, or for good cause or as necessary to comply with applicable federal or State law, regulatory requirements, accreditation standards or licensing guidelines or rules.

CMS has determined that it is in the public interest to end the ET3 Model's Performance Period on December 31, 2023, which is two years prior to the Agreement's original Performance Period end date. CMS made this determination based on a number of factors, including current Model projections of intervention volumes. Current and projected intervention volumes are lower than those anticipated when the Model was designed. This affects the cost of operating the Model relative to its expected benefits, the ability of CMS to conduct a robust quantitative evaluation of the Model's impact, and the Model's ability to achieve the Medicare savings CMS estimated in the Model's design. Because CMS has determined that it is not in the public interest to test the Model in Performance Year 4 (i.e., Calendar Year 2024) through Performance Year 5 (i.e., Calendar Year 2025), CMS has good cause to unilaterally amend the Agreement to modify its Performance Period.

CMS hereby amends the Agreement as follows:

1. **Amendment to the Model Performance Period.** Article 1.3 of the Agreement is amended in its entirety to read as follows:

1.3 Model Performance Period

*"The performance period for this Agreement ("**Model Performance Period**") begins on January 1, 2021 ("**Start Date**") and ends on December 31, 2023, unless the Agreement is sooner terminated by either Party in accordance with Article 19, in which case the Model Performance Period terminates immediately upon the effective date of such termination. The Model Performance Period includes the following three performance years (each a "**Performance Year**"):*

*Performance Year 1: January 1, 2021 through December 31, 2021
Performance Year 2: January 1, 2022 through December 31, 2022
Performance Year 3: January 1, 2023 through December 31, 2023*

2. **Amendment Effect Date.** This amendment shall be effective as of July 31, 2023.
3. **Effect of Amendment.** All other terms and conditions of the Agreement shall remain in full force and effect. In the event of any inconsistency between the provisions of this amendment and the provisions of the Agreement, the provisions of this amendment shall prevail.

FOR THE CENTERS FOR MEDICARE & MEDICAID SERVICES:

Henrietta A. Tabe-
bedward -S

Digitally signed by Henrietta A.
Tabe-bedward -S
Date: 2023.07.27 09:55:32 -04'00'

Arrah Tabe-Bedward
Deputy Director, Center for Medicare and Medicaid Innovation
Centers for Medicare & Medicaid Services

Date: July 27, 2023