



## Private Plans Team

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**Date:** April 25, 2019  
**To:** All Medicare Advantage Organizations (MAOs)  
**From:** Jonathan Smith, Program Manager  
**Re:** CMS-4185-P RADV Rule Provision Notice

CMS will extend the public comment period by 120 days, until August 28, 2019, for the Risk Adjustment Data Validation (RADV) provision that was included in the Notice of Proposed Rulemaking (NPRM) Medicare and Medicaid Programs; Policy and Technical Changes to the Medicare Advantage, Medicare Prescription Drug Benefit, Program of All-Inclusive Care for the Elderly (PACE), Medicaid Fee-For-Service, and Medicaid Managed Care Programs for Years 2020 and 2021 (CMS-4185-P) which was published on November 1, 2018. This provision can be found at 83 Fed. Reg. 54932, at 55037-55041 and 55077.

CMS is also releasing additional data underlying the October 26, 2018 Fee-for-Service Adjuster (FFS Adjuster) Study. Updates to existing documentation related to the study data, as well as additional data without Personally Identifiable Information, are being posted on the CPI Private Plans Team website April 25, 2019. Additional data containing Protected Health Information are being made available by CMS to all parties who have entered an applicable data use agreement and to those parties who can request this information if they agree to enter into an applicable data use agreement. CMS expects to release that data by June 14, 2019. This will be the final release of data from the October 26, 2018 FFS Adjuster Study.

In addition to releasing this additional data from the previously published study, CMS intends to replicate that study, publish the results, and release the associated data. Doing so will allow CMS to both test its initial results and release a more complete set of underlying data. Certain data that was not preserved by the programming language used to implement the initial study would be preserved in the replication for publication.

CMS expects to publish a Federal Register Notice formally extending the public comment period by 120 days for the RADV provision before the current April 30, 2019 deadline.

For questions regarding this memo or other RADV audit concerns, please contact [RADV@cms.hhs.gov](mailto:RADV@cms.hhs.gov).