Oregon Coordinated Care Organizations: Compliance Effectiveness & Challenges

HCCA Cascade Range Regional Conference
June 28, 2013

Speakers
Moderated by Gwen Dayton, JD
General Counsel and Vice President, Health Policy
Oregon Medical Association

Panel members:
• Barbara Carey, RN, CPHQ
  Compliance and Quality Improvement Manager
  Health Share of Oregon
• Wendy Edwards, MPA:HA, CHC
  Director of Regulatory Affairs/ Compliance Officer
  Samaritan Health Plan Operations
  Intercommunity Health Network CCO (IHN-CCO)
• Dick Sabath, Compliance Officer
  Trillium Community Health Plan CCO
Coordinated Care Organizations

A new locally controlled way to provide Medicaid services in Oregon that includes:

- Integration of behavioral and physical health
- Global budget
- Flexible benefits
- Reimbursement models that incentivize positive patient outcomes
- CCO accountability for the health of the population served
- Partnership among health care providers, health systems, community members and patients
Coordinated Care Organizations

What’s happening now:

- Developing quality baselines
- Filing Transformation Plans
- Watching legislative activity

7 Elements of an Effective Compliance Program

- Written Policies, Procedures, and Standards of Conduct
- Designation of a Compliance Officer and Compliance Committee
- Effective Training & Education
- Effective Lines of Communication
- Well-publicized disciplinary standards
- Effective System for Routine Monitoring and Identification of Compliance Risks Discipline & Enforcement
- Procedures and System for Prompt Response to Compliance Issues
Written Policies, Procedures, and Standards of Conduct

Policies and Procedures
Development ➔ Tailored ➔ Approval ➔ Distribution
➔ Review ➔ Evaluations

Standards of Conduct
• CEO Letter
• Express-VSE
• Commitment
• COI
• Resources/Information
• Disclosures
• Compliance
• Enforcement

Designation of a Compliance Officer and Compliance Committee
The compliance officer has a direct reporting relationship with the CEO.

• Compliance Officer and Compliance Committee oversee all lines of business and includes members from internal Samaritan Health Plan Operations (SHPO) and members of the Corporate Compliance Committee at Samaritan Health Services.
Effective Training & Education

- The Compliance Officer oversees and the SHPO Policy and Training Manager, who coordinates training activities for employees, the Board and partners within the CCO.
- Delivery System Transformation subcommittee formed to coordinate education and training needs with CCO providers.

Effective Lines of Communication

- Access to the Compliance Officer
- “Open-Door” policy
- Compliance Officer role within organization
- Methods of communication
  - Training and Education
  - Newsletters
  - Email updates
  - Face to Face
Well-publicized disciplinary standards

- **Policy/Procedure** – develop and implement
- **Clear and specific**
- **Expectations for reporting compliance issues**
- **Expectation for assisting in Issue resolution**
- **Identify noncompliant, unethical and/or illegal behavior through examples**
- **Required training**

Sanctions need to be:
- ✔ timely
- ✔ consistent
- ✔ effective
- ✔ increasing
- ✔ appropriate

Effective System for Routine Monitoring...

...and Identification of Compliance Risks
Discipline & Enforcement

- Develop an auditing/monitoring plan
  - ✔ Complete annual risk assessment with input from Health Share executive leadership and communicate to the Governance and Quality Committee
Procedures and System for Prompt Response to Compliance Issues

- Develop policies and procedures to respond to detected offenses.
- Anonymous reporting structure has been developed-hotline.
- Compliance Officer investigates alleged offense with appropriate Health Share executives.
- Report potential offenses to the Governance and Quality Committee and obtain recommendations for corrective action plans when appropriate.
- Initiate a corrective action plan and respond promptly to detected offenses.
- Report offenses to the appropriate State or Federal government agency as appropriate.

IHN- CCO Compliance Challenge

Ensuring compliance with dynamic rule changes and expectations that are not explicitly documented.

Solution:

Flexibility and continuous review of rule amendments and contract requirements prior to implementing programs. When clarity is provided, review documentation to ensure you are compliant and make any changes.
IHN- CCO Compliance Challenge

Ensuring HIPAA and other compliance requirements are maintained while working with partners in our office space.

Solution:
- Changes to procedures and policies around workplace environment.
- Giving private office space for our partners helped ensure privacy for all (staff and contractors/partners).

Trillium Compliance Challenge

- Non-Emergent Medical Transportation (NEMT) Program Integration into the Care Coordination Organization

Brokerages will screen clients' requests. They will ask clients for the following information:
- Client name
- Medicaid identification number
- Address
- Phone number
- Appointment date and time
- Health care provider’s name and address
- Medical reason for appointment
- Special transportation needs (e.g. mobility needs, escort, oxygen)
Trillium Compliance Solution

- Assess Current Brokerage policies and procedures
- Partner with Brokerage so they don’t feel overwhelmed
- Offer assistance and share your best practices
- Share and explain concept of Covered Entity and Business Associate Relationship
- Share and educate Brokerage on HIPAA and the impact on operations

Health Share of Oregon Compliance Challenge

Sharing of Protected Health Information (PHI)

- Numerous concerns regarding the sharing of protected information without the enrollee’s consent
- It is imperative that Health Share comply with federal (HIPAA, 42 CFR Part 2) and Oregon state rules regarding security and privacy provisions surrounding PHI
Health Share of Oregon Compliance Solution

- New Oregon laws grant CCOs the authority to share confidential information within their provider network. ORS 414.679; SB 1580 (2012) and ORS 192.558
- New Oregon laws do not override the federal protections for drug and alcohol records found in 42 CFR Part 2 or for educational records
- Health Share is considered an Organized Health Care Arrangement (OCHA)
Questions?

Contact us:
gwen@theoma.org
wedwards@samhealth.org
Barbara@healthshareoregon.org
dsabath@trilliumchp.com