



Star Wars: Avoiding the Dark Side — One Plan's Approach to Legislative/Regulatory Change Management

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“Fear is the Path to the Dark Side”

- “Star Wars” quotes that are applicable to general Program Compliance, Audit Readiness, and our journey to Regulatory/Legislative Change Management
- Yoda (The Phantom Menace): “Fear is the path to the dark side.”
- Qui-Gon Jinn (The Phantom Menace): Remember: Your focus determines your reality.
- Shmi Skywalker (The Phantom Menace): You can't stop change any more than you can stop the suns from setting.
- Yoda (The Empire Strikes Back): “Do. Or do not. There is no try.”
- Yoda (The Empire Strikes Back): “Judge me by my size, do you?”

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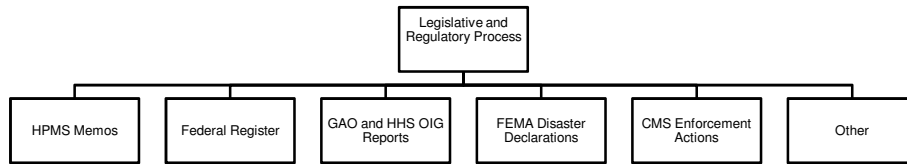
Overview

- Learn about the GPD Legislative/Regulatory Change Management
- “Live” demonstration of the GPD HPMS Memo SharePoint site and available resources
- Lessons Learned!
- Questions

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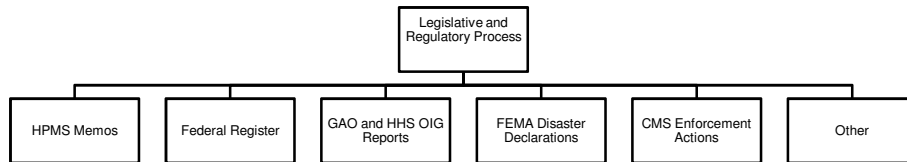
Learn about the GPD Legislative/Regulatory Change Management Process



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Learn about the GPD Legislative/Regulatory Change Management Process – HPMS Memos



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Learn about the GPD Legislative/Regulatory Change Management Process– HPMS Memos

- “HPMS Memos” are guidance issued by the Centers for Medicare and Medicaid Services (CMS)
 - HPMS Memos are just one vehicle the agency uses to communicate with health plans
- Issued by the Health Plan Management System (HPMS)
- Guidance on a wide variety of topics and comes in a variety of forms
 - Guidance on the program in its entirety (e.g. Final Call Letter, Technical Specifications and Program Updates)
 - Detailed guidance for very specific parts of the program (e.g. guidance for the Medicare-Medicaid Plans (MMPs), changes to billing, marketing templates)
 - Software updates
 - Training announcements
- ACTION: High priority, individuals receive action items and must provide documentation.

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Learn about the GPD Legislative/Regulatory Change Management Process – HPMS Memos

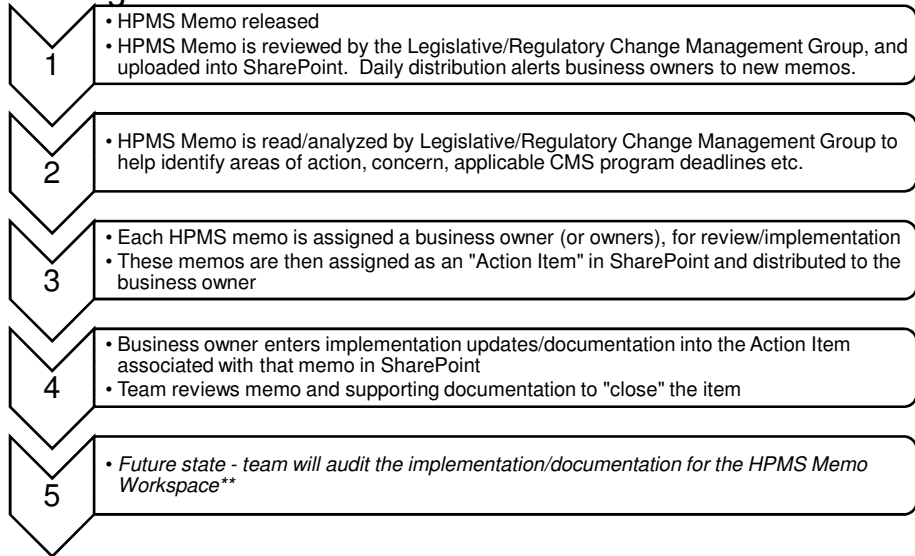
- In 2015, CMS issued 518 memos to plans from HPMS
- In 2016, CMS issued 530 memos to plans from HPMS *(as of 12/22/16)

	2014	2015	2016
January	47	44	30
February	33	54	35
March	41	37	40
April	46	40	51
May	45	34	49
June	27	43	62
July	33	49	50
August	46	60	78
September	31	36	37
October	41	40	38
November	28	35	34
December	37	46	26*
Total Memos	455	518	530

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Learn about the GPD Legislative/Regulatory Change Management Process – HPMS Memos



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Learn about the GPD Legislative/Regulatory Change Management Process – HPMS Memos

- Type of information the business owners provide to document implementation:
 - This was general information pertaining to the program, is a regularly occurring meeting or data submission, or requires no operational changes/reasons for that assessment
 - A new process for their group, which may require an update to an existing policy and procedure(s), or the creation of a new policy and procedure(s)
 - A process change or information that requires HCSC to alert a vendor/FDR
 - Any dates of implementation for the above changes/names of the policies and procedures that were updated
 - Any additional information that will be helpful for an audit or review at a later date to ensure we did thoroughly review the memo and implemented all of the necessary elements.

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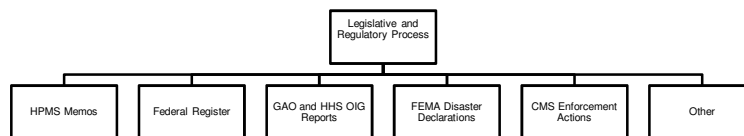
Learn about the GPD Legislative/Regulatory Change Management Process – HPMS Memos

- Timelines for closure of HPMS memos
 - General program information that are not actionable to the business lines – 2 weeks maximum allotted for review/closure
 - Actionable items (i.e. require updates to P&Ps, working with vendors for implementation, reporting changes) – 3 weeks maximum allotted for review/closure OR as determined by the workgroup, but needs weekly progress updates
 - **Deadlines posted by CMS will ALWAYS reign supreme over the above timelines**

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Learn about the GPD Legislative/Regulatory Change Management Process – Federal Register



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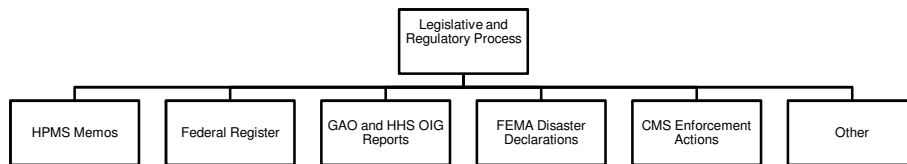
Learn about the GPD Legislative/Regulatory Change Management Process – Federal Register

- The Federal Register is the daily journal of the US Government. Their mission is to inform citizens of their rights and obligations, documents the actions of Federal agencies, and provides a forum for public participation in the democratic process.
- Information published by the Federal Register
 - Proposed new rules and regulations
 - Final rules
 - Changes to existing rules
 - Notices of meetings and adjudicatory proceedings
 - Presidential documents, including Executive Orders, proclamations and administrative orders
- ACTION: We review items, and may assign individuals to actionable items based on workgroup project plan

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Learn about the GPD Legislative/Regulatory Oversight Process – GAO and HHS OIG Reports



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Learn about the GPD Legislative/Regulatory Change Management Process – GAO and HHS OIG Reports

- The U.S. Government Accountability Office (GAO) is an independent, nonpartisan agency that works for Congress. Often called the "congressional watchdog," GAO investigates how the federal government spends taxpayer dollars.
- **Their Mission** is to support the Congress in meeting its constitutional responsibilities and to help improve the performance and ensure the accountability of the federal government for the benefit of the American people. They provide Congress with timely information that is objective, fact-based, nonpartisan, nonideological, fair, and balanced.
- **Their Core Values** of accountability, integrity, and reliability are reflected in all of the work they do. GAO operates under strict professional standards of review and referencing; all facts and analyses in their work are thoroughly checked for accuracy.
- **Their Work** is done at the request of congressional committees or subcommittees or is mandated by public laws or committee reports. GAO may also undertake research under the authority of the Comptroller General.

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Learn about the GPD Legislative/Regulatory Change Management Process – GAO and HHS OIG Reports

- Office of Inspector General's (OIG) mission is to protect the integrity of the Department of Health & Human Services (HHS) programs as well as the health and welfare of program beneficiaries
- HHS OIG is the largest inspector general's office in the Federal Government with approximately 1,600 employees dedicated to combating fraud, waste, and abuse and to improving the efficiency of the HHS programs.
- Types of HHS OIG releases
 - Reports
 - 5/31/16 – HHS-OIG Semi Annual 2016 Report to Congress ST1
 - Enforcement Actions
 - Criminal and Civil Enforcement, State Enforcement, Civil Monetary Penalties and Affirmative Exclusions
 - Provider Exclusion Reports
- **ACTION:** Workgroup reviews information for discussion

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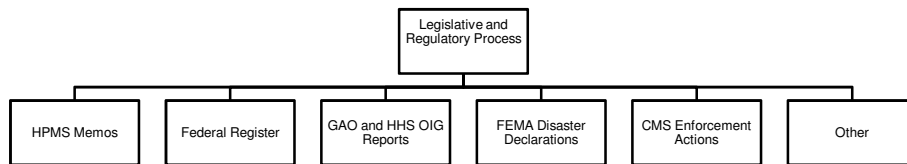
Slide 16

ST1

Updated this from the 2015 date to the 2016 semi annual rpt

Sharon Tinsley, 12/23/2016

Learn about the GPD Legislative/Regulatory Change Management Process – FEMA Disaster Declarations



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Learn about the GPD Legislative/Regulatory Change Management Process – FEMA Disaster Declarations

- HCSC and our first-tier entities (Prime Therapeutics & TMG Health) monitor FEMA.gov and DHHS.gov for emergency/disaster declarations. In addition, we monitor the news reports given the timing of the declarations and report out internally on a weekly basis.
- ACTION: In the event of an emergency / disaster declaration, the following processes are implemented:
- **Medicare Part C**
 - - Allow Part A/B and supplemental benefits to be furnished by non contracted (non par) facilities,
 - - Waive, in full or in part, requirements for authorization or pre-notification,
 - - Customer Service Representatives (CSRs) are provided with scripting and training on how to address member questions specific to a declaration.
 - - Focused monitoring of grievances received during and immediately after a declaration is performed to identify any complaints that may have been the result of an emergency situation.

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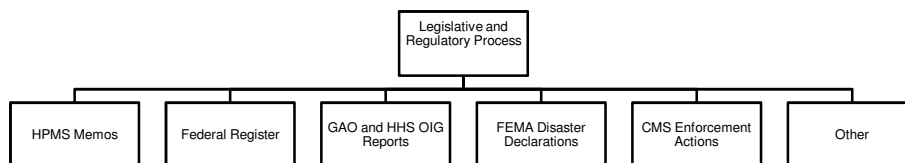
Learn about the GPD Legislative/Regulatory Change Management Process – FEMA Disaster Declarations

- **ACTION:** In the event of an emergency / disaster declaration, the following processes are implemented (continued:)
- **Medicare Part D**
- - A Dynamic Prior Authorization (DPA) can be created to allow override of all Refill Too Soon DUR edits in a particular State or Territory.
- - Note: Audits are completed after the disaster declaration expires to ensure no inappropriate use of the DPA.
- - Mail order packages are placed on a specific zip code based hold while alternate delivery addresses are confirmed with members.
- - Enrollees are allowed access to drugs dispensed at out of network pharmacies, with benefits paid at in-network levels.
- - Enrollees are allowed to obtain the maximum extended day supply, if requested and available at time of refill.
- - CSRs will be provided with scripting and training on how to address member questions specific to a declaration.

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Learn about the GPD Legislative/Regulatory Oversight Process – CMS Enforcement Actions



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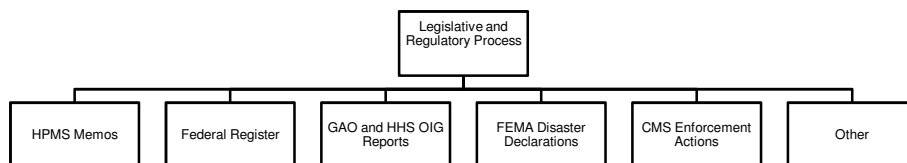
Learn about the GPD Legislative/Regulatory Change Management Process – CMS Enforcement Actions

- CMS has the authority to take enforcement or contract actions when CMS determines that a Medicare Plan Sponsor either:
 - substantially fails to comply with program and/or contract requirements,
 - is carrying out its contract with CMS in a manner that is inconsistent with the efficient and effective administration of the Medicare Part C and Part D program requirements, or
 - no longer substantially meets the applicable conditions of the Medicare Part C and D program.
- Enforcement and contract actions include:
 - Civil money penalties (CMP)
 - Intermediate sanctions (i.e., suspension of marketing, enrollment, payment), and
 - Terminations.
- ACTION: Workgroup review and discussion

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Learn about the GPD Legislative/Regulatory Change Management Process – Other



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Learn about the GPD Legislative/Regulatory Change Management Process – Other

- CMS press releases
- Other CMS priorities – i.e. opportunities to test new systems with CMS (EHR)
- Monitoring for topics of interest to business areas:
 - Quality initiatives
 - ICD-10
 - ACOs
 - ACA rules/guidance
- HHS Press releases
- Trade Association information
- Available trainings
- ACTION: Workgroup review and discussion

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Key Business Take-Aways: Understand the importance of this process and how it relates to your business area

- Some memos may only fall under the purview of one business area within GPD
- Others may touch multiple business lines
 - Marketing memos
 - Bid Submissions
 - Software Updates
 - Chapter updates
 - Readiness checklist
 - Reporting requirements/Technical Specifications
- Other meetings
 - Standing meeting with Legal, Enterprise Medicaid, Medicare/Medicaid Program, and Oversight
 - HHS-OIG/GAO Reports, Federal Register, CMS Manual System, CMCS Reports

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“Live” demonstration of the GPD HPMS Memo SharePoint site and available resources

<input type="checkbox"/> Type	Name	HPMS Memo Title	HPMS Memo Index	Date of Memo/Receipt
	5122	CORRECTED WEBEX LINK - CY 2016 QIP Annual Update Training Reminder	5122	12/13/2016
	5121	CY 2016 QIP Annual Update Training Reminder	5121	12/12/2016
	5120	Special Open Door Forum: Part D Appeals Process	5120	12/12/2016
	5119	Request for Part D Coverage Gap Discount Program Updated TPA Contact Information	5119	12/8/2016
	5118	Medicare Outpatient Observation Notice (MOON) (CMS-10611)	5118	12/8/2016
	5117	Physician Quality Reporting System 2014 Payment File and 2014 MOC Eligibility File	5117	12/7/2016
	5116	Physician Quality Reporting System 2015 Payment Adjustment File	5116	12/7/2016
	5115	Electronic Prescribing Incentive Program 2014 Payment Adjustment File	5115	12/7/2016
	5114	Fall 2016 Past Performance Results Available in HPMS	5114	12/7/2016
	5113	PACE Updates	5113	12/6/2016
	5112	2017 Draft PACE Audit Protocols - 30-Day Comment Period	5112	12/6/2016
	5111	November 28, 2016 Industry-wide Appeals Timeliness Monitoring Memo	5111	12/3/2016
	5110	Long-Term Institutionalized Resident Report	5110	12/1/2016
	5109	Early Preview - CY2018 Medicare Advantage Ratebook Growth Rates	5109	11/29/2016
	5108	RESND - Medicare Advantage/Prescription Drug System (MARx) December 2016 Payment - INFORMATION	5108	11/28/2016
	5107	Industry-wide Appeals Timeliness Monitoring	5107	11/28/2016
	5106	Contract Year 2016 Quality Improvement Project - Annual Update Training Information	5106	11/28/2016
	5105	Personnel Changes in the Center for Medicare	5105	11/28/2016
	5104	Correction - August 8, 2016 Guidance Re: Nondiscrimination Communication Requirements and Grievance Procedures	5104	11/28/2016
	5103	Network Exceptions	5103	11/28/2016
	5102	SNP and MMP Off-Cycle MOC Revision Submissions Training	5102	11/25/2016
	5101	Medicare Advantage/Prescription Drug System (MARx) December 2016 Payment - INFORMATION	5101	11/25/2016
	5100	Coverage Gap Discount Program: December Participating Labeler Code Update	5100	11/25/2016
	5099	Implementation of Medicare Diabetes Prevention Program Expanded Model	5099	11/23/2016
	5098	Illinois MMPs: CY 2018 Model of Care Requirements	5098	11/22/2016
	5097	Release of the 2014 Part C and Part D Annual Reports, Public Use File (PUF) Technical Specifications, PUF files for the Part C and D Reporting Requirements	5097	11/22/2016
	5096	CORRECTED LINK: Notice of the 30-day comment period for the Information Collection Request (ICR) for the Part C and Part D Data Validation for 2017-2018	5096	11/22/2016

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“Live” demonstration of the GPD HPMS Memo SharePoint site and available resources



5122

Please note this is a correction e-mail. The WebEx link has been updated, but all other information remains the same.

HPMS Memo Title	CORRECTED WEBEX LINK - CY 2016 QIP Annual Update Training Reminder
Date of Memo/Receipt	12/13/2016
HPMS Memo Index	5122
Active/Closed	Closed

View All Properties
Edit Properties

Memo & Supporting Documents

<input type="checkbox"/> Type	Name	HPMS Memo Title	HPMS Document Type	Action Owner
	5122	CORRECTED WEBEX LINK - CY 2016 QIP Annual Update Training Reminder	HPMS Memo	Sharon Tinsley

Related Action Items [\(Click here to view all action items for all memos.\)](#)

<input type="checkbox"/> @ Type	HPMS Memo Index	Assigned To	Action Status	HPMS Memo Date
	5122	Sharon Tinsley	03 - Completed	12/13/2016

➕ Add new item

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“Live” demonstration of the GPD HPMS Memo SharePoint site and available resources

HPMS Memo Actions - New Item

Save Cancel Paste Copy Attach File Spelling

Commit Clipboard Actions Spelling

The content of this item will be sent as an e-mail message to the person or group assigned to the item.

HPMS Memo Index *

Assigned To *

Category Type Actionable

Functional Area Actuarial/Bid Prep/Applications

Executive Owner *

HPMS Memo Date *

Distribution Date 12/14/2016

Action Status *

Expected Due Date *

CMS Due Date *

Communication Subject *

P&P Impact? *

P&P Impact Description *

Vendor Implementation? *

Vendor Implementation Details *

To be filled out by business owner:
Expected due date for action

To be filled out by business owner:
If you indicated that there is a P&P impact, please provide details about the impact.

To be filled out by business owner:
If you indicated that there is a vendor implementation, please provide details about the implementation.

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“Live” demonstration of the GPD HPMS Memo SharePoint site and available resources

Require FDR Notification? *

Summary & Additional Notes *

Date Closed *

Link to Content *

Task Details *

Start Date *

To be filled out by business owner.

Date item was closed

Type the Web address: (Click here to test)

Type the description:

Save Cancel

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“Live” demonstration of the GPD HPMS Memo SharePoint site and available resources

☐ Type
 Name
 HPMS Memo Report Type

☒ HPMS Memo Report Type : CAHPS Survey Results (6)

☒ HPMS Memo Report Type : Call Letter (21)

☒ HPMS Memo Report Type : HPMS Memo Scorecard/Due Date (88)

☒ HPMS Memo Report Type : Medicare Updates (168)

☒ HPMS Memo Report Type : Readiness Review (18)

☒ HPMS Memo Report Type : Regulatory Actions Tracking (63)

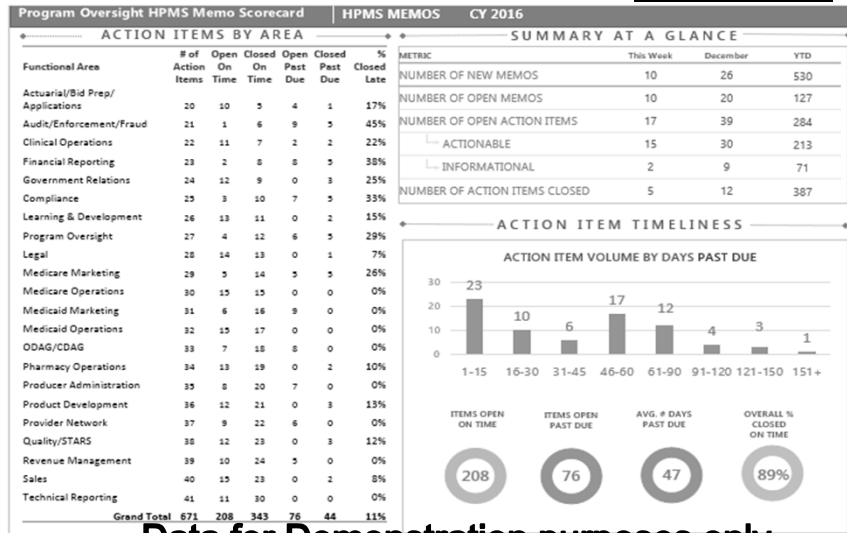
☒ HPMS Memo Report Type : Timeliness (5)

☒ HPMS Memo Report Type : Tracking (72)

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“Live” demonstration of the GPD HPMS Memo SharePoint site and available resources – DEMO DATA ONLY



Data for Demonstration purposes only

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“Live” demonstration of the GPD HPMS Memo SharePoint site and available resources - DEMO DATA ONLY

Program Oversight HPMS Memo Scorecard				HPMS MEMOS	NEW PROGRAM REQUIREMENTS & KEY MEMOS		
DATE RECEIVED	Memo Index #	DEPT/AREA	BUSINESS OWNER	REQUIREMENT	EFFECTIVE DATE	DEADLINE FOR IMPLEMENTATION	STATUS
11/17/2016	5093	ALL LINES OF BUSINESS RELATED TO MMP	ALL LINES OF BUSINESS	Contract Year 2017 Medicare-Medicaid Plan Readiness Checklist	1/1/2017	12/15/2016	Program Oversight forwarded the HPMS Memo to all Readiness WD members on 11/17/16. The excel documentation due by COB 12/7/16.
10/25/2016	5068	Finance	Finance	Medical Loss Ratio (MLR) Report and Attestation Submission Reminder for Contract Year 2015		12/2/2016 (Report Submission) 12/9/2016 Attestation	Program Oversight sent the HPMS email to the action item owner to ensure receipt in addition to assigning in SP. MLR reports on track for submission by 12/2 and attestation by 12/9.
10/6/2016	5048	ALL LINES OF BUSINESS	ALL LINES OF BUSINESS	2017 Readiness Checklist for Medicare Advantage Organizations, Prescription Drug Plans, and Cost Plans	1/1/2017	12/15/2016	Oversight held a kick off meeting on 10/18 and the excel documentation tool was released. An update was provided to our CMS account manager on 10/25 during our monthly CMS call and the responses were provided in writing on 10/31. Teams completed documentation by the 11/30 due date. Targeted monitoring began 12/1. Attestations due 12/15.

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“Live” demonstration of the GPD HPMS Memo SharePoint site and available resources - DEMO DATA ONLY

Program Oversight HPMS Memo Scorecard


HPMS MEMOS

CMS UPCOMING DUE DATES

Upcoming CMS Due Dates - ACTION REQUIRED

Due Date	Index #	Memo/Action Item Owner	Status
2/15/2017	5098	Illinois MMPs: CY 2018 Model of Care Requirements <ul style="list-style-type: none">• Medicaid Operations• Quality	
2/28/2017	4948	Revised CY 2016 Medicare-Medicaid Plan Core Reporting Requirements <ul style="list-style-type: none">• Quality	

2016 CMS Due Dates - OUTSTANDING & REQUIRES ACTION/DOCUMENTATION

12/5/2016	5092	Notice of the 30-day comment period for the Information Collection Request (ICR) for the Part C and Part D Data Validation for 2017-2018	
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Data for Demonstration purposes only

Data for Demonstration purposes only

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Lessons Learned.....

- Change management takes time – culture change takes even longer
- There will ALWAYS be competing business priorities
- Training is key
- Push back comes with the territory
- Do not try to upload documentation into SharePoint systems late at night when tired
- Online tools can definitely be a helpful friend
- Leadership support is incredibly important
- Smile – though your heart is breaking
- **Give credit where credit is due – thanks to Sharon Tinsley for her hard work moving our project forward.**

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And do not forget.....

- **May the force be with you!!!**
- Contact information:
 - Michaela Monaghan, Director – Program Oversight, Government Programs
 - Michaela_Monaghan@bcbsil.com
 - 312-653-5568

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