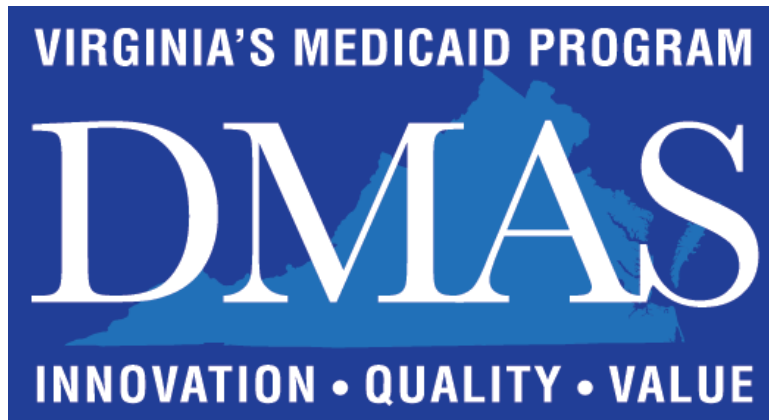


# Monthly MCO Compliance Report

**Medallion 4.0 April 2023 Deliverables**



**Health Care Services Division**

May 8, 2023

# Monthly MCO Compliance Report

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## Medallion 4.0 April 2023 Deliverables

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# Compliance Points Overview

MCO	Prior Month Point Balance	Point(s) Incurred for Current Month*	Point(s) Expiring from March 2022	Final Point Balance*	Area of Violation: Finding or Concern
<u>Aetna</u>	4	0	0	4	<b>FINDINGS</b> NONE <b>CONCERNS</b> LATE SUBMISSION
<u>Anthem</u>	8	0	2	6	<b>FINDINGS</b> NONE <b>CONCERNS</b> CMHRS SA DATA SUBMISSION ERROR
<u>Molina</u>	5	0	1	4	<b>FINDINGS</b> NONE <b>CONCERNS</b> LATE SUBMISSION
<u>Optima</u>	2	0	0	2	<b>FINDINGS</b> NONE <b>CONCERNS</b> PHARMACY PA
<u>United</u>	3	0	0	3	<b>FINDINGS</b> NONE <b>CONCERNS</b> CMHRS SA LATE SUBMISSION
<u>VA Premier</u>	8	0	0	8	<b>FINDINGS</b> NONE <b>CONCERNS</b> PHARMACY PA

*\*All listed point infractions are pending until the expiration of the 15-day comment period.*

Notes:

**Findings** – Area(s) of violation; point(s) issued.

**Concerns** – Area(s) of concern that could lead to potential findings; no points issued.

**Expired Points** – Compliance points expire 365 days after issuance. Thus, all points issued in March 2022 (Issue date: 4/15/2022) expire on 4/15/2023 and are subtracted from the final point balance.

# Summary

The **Compliance Review Committee (CRC)** met on May 3, 2023, to review deliverables measuring performance for March 2023. The meeting's agenda covered all identified and referred issues of non-compliance, including reporting errors, late submissions, and failure to meet contract thresholds related to service authorizations.

The CRC consists of five managers and supervisors from the Health Care Services Division who vote on what, if any, compliance enforcement actions should be taken in response to identified compliance issues.

The CRC voted to issue eight enforcement letters to the impacted Managed Care Organizations (MCOs), consisting of eight Notices of Non-Compliance (NONC).

Each MCO's compliance findings and concerns are further detailed below. Data related to the Health Care Services Division's compliance activities are also included. The Department communicated the findings of its review of March's compliance issues in letters and emails issued to the MCOs on May 5, 2023.

# Aetna Better Health of Virginia

## Findings:

- No findings (i.e., no compliance issues severe enough to necessitate the issuance of compliance points).

## Concerns:

- **Untimely Deliverable Submission:** Aetna Better Health failed to timely submit the biannual MCO Data Inventory by the due date of March 31, 2023. Aetna submitted the missing report to the Department on April 4, 2023, following an email from the Compliance Unit.

Section 10.1.E.d.b of the Medallion 4.0 contract requires the MCOs to submit reporting deliverables timely, with accurate data, and in the format and layout specified by DMAS. Thus, Aetna violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above.

The Compliance Team recommended that in response to the issue identified above, Aetna be issued a **Notice of Non-Compliance (NONC)**. The CRC agreed with the Compliance Team's recommendation and voted to issue a **Notice of Non-Compliance (NONC)**. (CES # 5437)

## MIP/CAP Update:

- No updates

## Request for Reconsideration:

- No requests for reconsideration

## Expiring Points:

- No points

## Financial Sanctions Update:

- No outstanding sanctions at this time

## Summary:

- For deliverables measuring performance for March 2023, Aetna showed a moderate level of compliance. Aetna timely submitted all 16 required monthly reporting deliverables but failed to timely submit a biannual deliverable (as addressed above in **CES # 5437**). In summation, Aetna complied with most applicable regulatory and contractual requirements.

# Anthem HealthKeepers Plus

## Findings:

- No findings (i.e., no compliance issues severe enough to necessitate the issuance of compliance points).

## Concerns:

- **Data Submission Error:** DMAS timely received the March 2023 Community Mental Health Rehabilitation Services (CMHRS) Service Authorizations from Anthem HealthKeepers Plus. Upon review, Anthem's submission included the following reporting error: two additional columns (X and AA) were added to the file reflecting the values of AM or PM after the Received Time and the Sent Time columns. Anthem was notified of this error and resubmitted this deliverable with corrected information.

As described in Section 10.1.E.d.b of the Medallion 4.0 contract, Anthem is required to submit all reporting deliverables in the format and with the contents specified in the Medallion 4.0 Contract, and the Medallion 4.0 Deliverables Technical Manual.

The Compliance Team recommended that in response to the issue identified above, Anthem be issued a **Notice of Non-Compliance (NONC)**. The CRC agreed with the Compliance Team's recommendation and voted to issue a **Notice of Non-Compliance (NONC)**. (CES # 5439)

- **Contract Adherence:** Anthem HealthKeepers Plus failed to process all Community Mental Health Rehabilitation Services (CMHRS) Service Authorizations within the required timeframe. Per the March 2023 data, there was one (1) expedited service authorization request that did not require supplemental information and was not processed within 72 hours, and four (4) standard service authorization requests that did not require supplemental information and were not processed within 14 days. Anthem's overall timeliness for processing CMHRS Service Authorization requests for the month of March was 99.52%.

The Compliance Team recommended that in response to the issue identified above, Anthem be issued a **Notice of Non-Compliance (NONC)**. The CRC agreed with the Compliance Team's recommendation and voted to issue a **Notice of Non-Compliance (NONC)**. (CES # 5440)

## MIP/CAP Update:

- No updates

### **Request for Reconsideration:**

- No requests for reconsideration

### **Expiring Points:**

- **Case #4879:** March 2022 – CMHRS SA Issue. 1 point was removed from Anthem’s total by closing **CES # 4879**.
- **Case #4893:** March 2022 – Appeals and Grievances Issue. 1 point was removed from Anthem’s total by closing **CES # 4893**.

### **Financial Sanctions Update:**

- No outstanding sanctions at this time

### **Summary:**

- For deliverables measuring performance for March 2023, Anthem showed a moderate level of compliance. Anthem timely submitted all 16 required monthly reporting deliverables. One contract deliverable failed to meet contract adherence requirements for the timely processing of CMHRS Service Authorizations and one included a reporting error (as addressed above in **CES # 5440 & 5439**). In summation, Anthem complied with most applicable regulatory and contractual requirements.

# Molina Complete Care

## Findings:

- No findings (i.e., no compliance issues severe enough to necessitate the issuance of compliance points).

## Concerns:

- **Untimely Deliverable Submission:** Molina Complete Care failed to timely submit the biannual MCO Data Inventory by the due date of March 31, 2023. Molina submitted the missing report to the Department on April 6, 2023, following an email from the Compliance Unit.

Section 10.1.E.d.b of the Medallion 4.0 contract requires the MCOs to submit reporting deliverables timely, with accurate data, and in the format and layout specified by DMAS. Thus, Molina violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above.

The Compliance Team recommended that in response to the issue identified above, Molina be issued a **Notice of Non-Compliance (NONC)**. The CRC agreed with the Compliance Team's recommendation and voted to issue a **Notice of Non-Compliance (NONC)**. (CES # 5438)

## MIP/CAP Update:

- No updates

## Request for Reconsideration:

- No requests for reconsideration

## Expiring Points:

- **Case #4878:** March 2022 – CMHRS SA Issue. 1 point was removed from Molina's total by closing **CES # 4878**.

## Financial Sanctions Update:

- No outstanding sanctions at this time

## Summary:

- For deliverables measuring performance for March 2023, Molina showed a moderate level of compliance. Molina timely submitted all 16 required monthly reporting deliverables but failed to timely submit a biannual deliverable (as addressed above in **CES # 5438**). In summation, Molina complied with most applicable regulatory and contractual requirements.



# Optima Family Care

## Findings:

- No findings (i.e., no compliance issues severe enough to necessitate the issuance of compliance points).
- **Contract Adherence:** Optima Family Care failed to timely process all Pharmacy Prior Authorization requests within the required timeframe. Per the March 2023 data, there were two (2) Pharmacy Prior Authorization requests processed past 24 hours. The overall timeliness of Pharmacy Prior Authorizations processing was 99.95%.

Section 8.7.N of the Medallion 4.0 contract requires the MCOs to provide a response by telephone or other telecommunication within 24 hours of a service authorization request. If the Contractor denies a request for service authorization, the Contractor must issue a Notice of Action within twenty-four (24) hours of the denial to the prescriber and the member. Thus, Optima violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above.

The Compliance Team recommended that in response to the issue identified above, Optima be issued a **Notice of Non-Compliance (NONC)**. The CRC agreed with the Compliance Team's recommendation and voted to issue a **Notice of Non-Compliance (NONC)**. (CES # 5435)

## MIP/CAP Update:

- No updates

## Request for Reconsideration:

- No requests for reconsideration

## Expiring Points:

- No points

## Financial Sanctions Update:

- No outstanding sanctions at this time

## Summary:

- For deliverables measuring performance for March 2023, Optima showed a moderate level of compliance. Optima timely submitted all 16 required monthly reporting deliverables. One contract deliverable failed to meet

contract adherence requirements for the timely processing of Pharmacy Prior Authorizations (as addressed above in **CES # 5435**). In summation, Optima complied with most applicable regulatory and contractual requirements.

# UnitedHealthcare

## Findings:

- No findings (i.e., no compliance issues severe enough to necessitate the issuance of compliance points).

## Concerns:

- **Contract Adherence:** UnitedHealthcare failed to process all Community Mental Health Rehabilitation Services (CMHRS) Service Authorizations within the required timeframe. Per the March 2023 data, there were four (4) standard service authorization requests that did not require supplemental information and were not processed within 14 days. UnitedHealthcare's overall timeliness for processing CMHRS Service Authorization requests for the month of March was 99.13%.

The Compliance Team recommended that in response to the issue identified above, UnitedHealthcare be issued a **Notice of Non-Compliance (NONC)**. The CRC agreed with the Compliance Team's recommendation and voted to issue a **Notice of Non-Compliance (NONC)**. (CES # 5434)

- **Untimely Deliverable Submission:** UnitedHealthcare failed to timely submit the biannual MCO Data Inventory by the due date of March 31, 2023. UnitedHealthcare submitted the missing report to the Department on April 11, 2023, following an email from the Compliance Unit.

Section 10.1.E.d.b of the Medallion 4.0 contract requires the MCOs to submit reporting deliverables timely, with accurate data, and in the format and layout specified by DMAS. Thus, UnitedHealthcare violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above.

The Compliance Team recommended that in response to the issue identified above, UnitedHealthcare be issued a **Notice of Non-Compliance (NONC)**. The CRC agreed with the Compliance Team's recommendation and voted to issue a **Notice of Non-Compliance (NONC)**. (CES # 5433)

## MIP/CAP Update:

- No updates

## Request for Reconsideration:

- No requests for reconsideration

## Expiring Points:

- No points

### **Financial Sanctions Update:**

- No outstanding sanctions at this time

### **Summary:**

- For deliverables measuring performance for March 2023, UnitedHealthcare showed a moderate level of compliance. UnitedHealthcare timely submitted all 16 required monthly reporting deliverables but failed to timely submit a biannual deliverable (as addressed above in **CES # 5433**). One contract deliverable failed to meet contract adherence requirements for the timely processing of CMHRS Service Authorizations (as addressed above in **CES # 5434**). In summation, UnitedHealthcare complied with most applicable regulatory and contractual requirements.

# Virginia Premier

## Findings:

- No findings (i.e., no compliance issues severe enough to necessitate the issuance of compliance points).

## Concerns:

- **Contract Adherence:** Virginia Premier failed to timely process all Pharmacy Prior Authorization requests within the required timeframe. Per the March 2023 data, there were five (5) Pharmacy Prior Authorization requests processed past 24 hours. The overall timeliness of Pharmacy Prior Authorizations processing was 99.88%.

Section 8.7.N of the Medallion 4.0 contract requires the MCOs to provide a response by telephone or other telecommunication within 24 hours of a service authorization request. If the Contractor denies a request for service authorization, the Contractor must issue a Notice of Action within twenty-four (24) hours of the denial to the prescriber and the member. Thus, Virginia Premier violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above.

The Compliance Team recommended that in response to the issue identified above, Virginia Premier be issued a **Notice of Non-Compliance (NONC)**. The CRC agreed with the Compliance Team's recommendation and voted to issue a **Notice of Non-Compliance (NONC)**. (CES # 5436)

## MIP/CAP Update:

- No updates

## Request for Reconsideration:

- No requests for reconsideration

## Expiring Points:

- No points

## Financial Sanctions Update:

- No outstanding sanctions at this time

## Summary:

- For deliverables measuring performance for March 2023, Virginia Premier showed a moderate level of compliance. Virginia Premier timely submitted all

16 required monthly reporting deliverables. One contract deliverable failed to meet contract adherence requirements for the timely processing of Pharmacy Prior Authorizations (as addressed above in **CES # 5436**). In summation, Virginia Premier complied with most applicable regulatory and contractual requirements.

# Next Steps

The Health Care Services Compliance Unit will continue to host monthly Compliance Review Committee meetings, track, and monitor compliance issues and points, and communicate with the MCOs regarding identified issues. The HCS Compliance Unit will also continue to collaborate with other DMAS units and divisions to investigate and resolve potential compliance issues.

The Compliance Unit will continue its enforcement efforts to ensure the timely processing of internal member appeals, service authorizations and claims. The Compliance Unit will also remain focused on overall compliance with Medallion 4.0 contractual requirements - especially those with an impact on members and providers.

Where appropriate, the HCS Compliance Unit will work closely with the Integrated Care Compliance Unit to align enforcement actions between the two contracts.