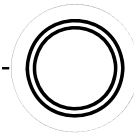


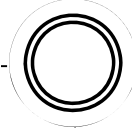
# The Making of a Successful Quality of Care CIA



**TAMAR ABELL  
PRESIDENT, CARE2LEARN**

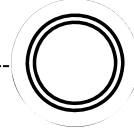
**KATIE ARNHOLT  
DEPUTY BRANCH CHIEF, OFFICE OF INSPECTOR GENERAL  
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES**

# What is a Quality of Care CIA?



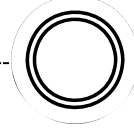
- **Corporate Integrity Agreements (CIAs)**
  - Agreement to establish and maintain a compliance program
  - Typical elements include:
    - ✦ Compliance Officer and Committee
    - ✦ Board of Directors obligations
    - ✦ Written standards and policies
    - ✦ Training program
    - ✦ Independent Review Organization
    - ✦ Disclosure Program
    - ✦ Screening for Ineligible Persons
    - ✦ Reporting
  
- **Quality of Care CIAs**
  - Expanded elements to include quality assurance and improvement
  - Quality of Care Dashboard
  - Internal Quality of Care Review Program
  - Independent Monitor

# When Does OIG Negotiate Quality of Care CIA?



- **Release of exclusion authority under section 1128(b)(6)(B) of the Social Security Act**
- **Fraud cases involving quality of care**
  - Systemic care failures
- **Examples of provider types**
  - Nursing homes
  - Hospitals
  - Behavioral health providers
  - Dental providers

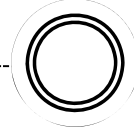
***“It Can’t Happen to Me”***



**“Most of us can read the writing  
on the wall but we believe it is  
addressed to someone else.”**

**Ivern Ball**

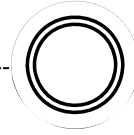
# The “Story”



- **Provider Challenge**
  - Orange is not my color ...and I look fat in stripes
  - Maxwell Manor
    - ✦ 18 month management contract
    - ✦ 4 year investigation



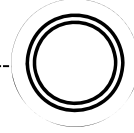
# The “Story”



- FBI Evidence:

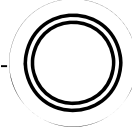


# The “Story”



- **Settlement**
  - 1.8 million
  - Quality of Care CIA- 5 years
- **Negotiation Process**
  - Big Provider vs Small Provider
  - Involvement of Operations
  - Face to Face meeting with attorney and IM

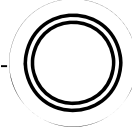
# Implementation Period - OIG Perspective



- **What is the implementation period?**
  - Key elements must be established and implemented within 60 to 120 days
  - Implementation Report submitted to OIG
- **Change in relationship with OIG**
  - OIG attorney assigned to CIA
  - Can call attorney with questions

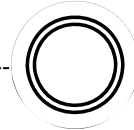


# Implementation Period - OIG Perspective



- Is the provider committed to setting up an effective compliance program?
- Is the Compliance Officer qualified to oversee the program?
- Is the provider receptive and responsive to the Independent Monitor?

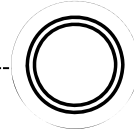
# Implementation Period - Provider's Challenge



**120 DAYS???? ARE YOU  
KIDDING!!**



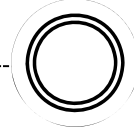
# Implementation Period - Provider's Challenge



- **Selecting a CCO**
- **Policies and Procedures**
  - Compliance manual and code of conduct
- **Setting up a hotline**
- **Implement training**
- **Preparing for monitor visit**
- **Exclusion screening**

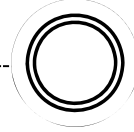


# Independent Monitor - OIG Perspective



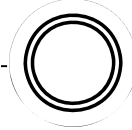
- **What is an Independent Monitor?**
  - **Assesses provider's internal quality assurance and improvement systems**
- **Resource, not adversary**
- **Focuses on process and systems**
- **Not a survey**

# Independent Monitor - Provider's Challenge



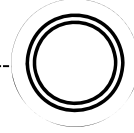
- **Hard to adjust to “consultative” model**
  - Vertigo!
- **Structure of visit**
  - Transparency
  - Access
- **System view**
  - Fall example
- **Relationship over time**

# Use of Data - OIG Perspective

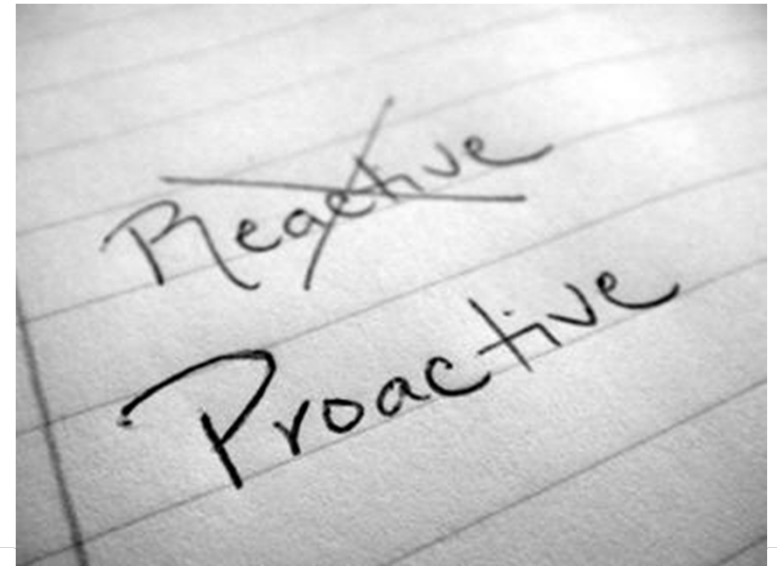


- **Quality of Care CIAs require use of data**
  - To identify potential quality problems
  - To trend and track quality improvement
- **Quality of Care Dashboard**
- **Monitor's use of data**
  - Subcontract for Quality Indicator data analysis reports

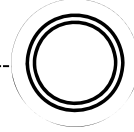
# Use of Data - Provider's Challenge



- **Um... what's data?**
  - Learning to benchmark, trend and track
  - Be as specific as possible
  - QAPI “demonstration” project
- **Where does the data come from?**
  - Data contract- QI/QM



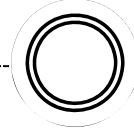
# Compliance Training - OIG Perspective



- **Quality of Care CIAs have robust training requirements**
  - Compliance
  - Clinical
  - Periodic (based on issues identified by provider or Independent Monitor)
- **Competency based**
- **Track it!**



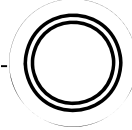
# Compliance Training - Provider's Challenge



- Making Lemons from Lemonade
- Challenges
  - Consistency
  - Accountability
  - Scope

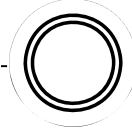


# OIG Site Visit - OIG Perspective



- **More visits under Quality of Care CIAs**
- **Purpose**
  - Conduct in-person review of compliance with CIA requirements
  - Learn more about the provider
- **Typical visit**
  - Corporate headquarters/observe committee meeting
  - Facility visit/shadow Independent Monitor

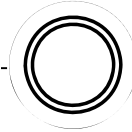
# OIG Site Visit - Provider's Challenge



- Enough said

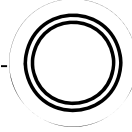


# Annual Reporting - OIG Perspective



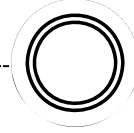
- Review reporting requirements set forth in CIA
- Looking for evidence that provider is complying with CIA requirements
- Call assigned OIG attorney with questions

# Annual Reporting - Provider's Challenge



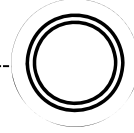
- **Not sure what to include**
  - “a summary of the facilities audited or reviewed, a summary of the findings of such audit and review, and a summary of the corrective action taken under the program for audit and reviews”
- **OIG response time**
- **Worked closely with Independent Monitor**
- **Developed independently- not attorney**

# Ending the CIA - OIG Perspective



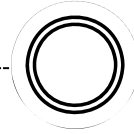
- **Self-running internal quality assurance and improvement program**
- **Close out meeting**
- **If not performing up to expectations**
  - Evaluate use of breach and default provisions
  - Referral for enforcement action
  - Report to Centers for Medicare and Medicaid Services

# Ending the CIA - Provider's Challenge



- Not so simple...
- Meeting with OIG
- Where am I now?

# Final Thoughts



**MAXWELL HAS  
LEFT THE MANOR!**  
NOVEMBER 21, 2009



- Years of Heartache- 9
- Expense of Settlement and CIA- \$4,000,000
- Hair color to hide the grey- \$1,250
- Corporate compliance plan without a CIA...



# Priceless!

