

**Session 801**

**CMS Appeals Timeliness Monitoring:  
How to Prepare for the New Annual Reviews**

***Introductions***



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## ***Agenda***

<b>#</b>	<b>Focus</b>
1	2017 Approach and 2018 Updates
2	Preparing for 2018 Timeliness Monitoring Project (TMP) & Evolving Leading Practices
3	Long-term Considerations & Final Remarks
4	Q&A

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## ***2017 Approach and 2018 Updates***

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## ***2017 Approach and Outcomes***

- **First Year Implementation: Appeals Timeliness Monitoring**
  - CMS communicated they “are undertaking this large scale monitoring project in response to some Sponsors' concerns that our targeted reviews that accompany program audits do not sufficiently **assess all contracts.**”
- Data initially due December 7, 2016 – delayed by one month to commence 1/9/2017 in response to industry requests
- Reminded plans that CMS is using **audit protocol tables** to conduct monitoring
- Clarified that universe submissions should include data processed **in-house and by all First Tier Down-stream and Related entities (FDRs)**
- Involved **majority of** Organization Determinations, Appeals and Grievances (**ODAG**) and Coverage Determinations, Appeals and Grievances (**CDAG**) tables

### **Impacts to oversight of health plans**

- Medicare Advantage plans must be prepared to pull and submit accurate TMP universes annually
- Evolving approaches to better prepare and respond to the data request
- CMS released individual plan results without an impact to Stars

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## ***2018 Updates***

- CMS confirmed it will again conduct the industry wide monitoring project
- Updated name from Appeals Timeliness Monitoring (ATM) to **Timeliness Monitoring Project (TMP)**
- CMS 2018 TMP data universe submissions will need to utilize the 2017 ODAG and CDAG audit protocols
- Conducting this collection in three waves, the first wave of letters requesting data will be issued in January 2018
- Again CMS will be utilizing contractors to assist with the TMP and data will need to be submitted via a secure file transfer protocol (SFTP)
- CMS will collect ODAG and CDAG audit universes from each contract **to assess all sponsors' timeliness in processing both Part C and D requests**, as well as sponsor compliance with forwarding cases to the IRE
- CMS reiterated that the monitoring effort will **provide all sponsors** the ability to demonstrate their Independent Review Entity (IRE) **data are accurate and valid** for use in **CMS' Star Ratings**

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## 2018 Required Universes

*Expansive data set again requested that covers the majority of data required during a Program Audit for ODAG and CDAG protocols*

### ODAG

- Table 1: Standard Pre-service Organization Determinations (SOD) Record Layout
- Table 2: Expedited Pre-service Organization Determinations (EOD) Record Layout
- Table 3: Requests for Payment Organization Determinations (Claims) Record Layout
- Table 4: Direct Member Reimbursement (DMR) Requests Record Layout
- Table 5: Standard Pre-service Reconsiderations (SREC) Record Layout
- Table 6: Expedited Pre-service Reconsiderations (EREC) Record Layout
- Table 7: Requests for Payment Reconsiderations (PREC) Record Layout

### CDAG

- Table 1: Standard Coverage Determinations (SCD) Record Layout
- Table 2: Standard Coverage Determination Exception Requests (SCDER) Record Layout
- Table 3: Direct Member Reimbursement Request Coverage Determinations (DMRCD) Record Layout
- Table 4: Expedited Coverage Determinations (ECD) Record Layout
- Table 5: Expedited Coverage Determination Exception Requests (ECDER) Record Layout
- Table 6: Standard Redeterminations (SRD) Record Layout
- Table 7: Direct Member Reimbursement Request Redeterminations (DMRRD) Record Layout
- Table 8: Expedited Redeterminations (ERD) Record Layout
- Table 9: Standard IRE Auto-forwarded Coverage Determinations and Redeterminations (SIRE) Record Layout
- Table 10: Expedited IRE Auto-forwarded Coverage Determinations and Redeterminations (EIRE) Record Layout

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## Implications of evolving regulator operational compliance monitoring

*Plans are able to better identify and respond to challenges within their operations and FDR relationships to reduce operational risks and respond to the timeliness monitoring*

- **Regulators are using enhanced operational monitoring and data analysis with a distinct focus on assessing a broader range of plans**
- **Includes expansive data set (beyond appeals tables) and CMS reiterated:**
  - Effective **appeals processing** by sponsors is one of the most critical areas of the Part C and Part D programs
  - The plans must provide **key beneficiary protections** to access essential medical care and/or prescription medications
  - Medicare Parts C and D audits have **consistently identified performance issues**



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## ***Preparing for 2018 Timelines Monitoring Project & Evolving Leading Practices***

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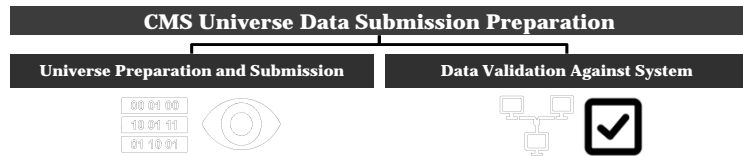
## ***Framework for TMP Preparedness***

*Defining roles and responsibilities throughout data gathering and submission helps better prepare for identification and correction of issues*

<p><b>Operational Readiness</b></p>	<ul style="list-style-type: none"> <li>▪ Ongoing adherence to CMS requirements and compliance standards</li> <li>▪ Ownership for identification and correction of operational noncompliance to correct issues near-time, helping reduce untimeliness for the TMP</li> <li>▪ Documentation of plan activities to easily, accurately, and efficiently document plan activities and support plan ODAG and CDAG decisions</li> </ul>
<p><b>Data Accuracy Prior to Submission</b></p>	<ul style="list-style-type: none"> <li>▪ Mapping of internal and FDR systems to CMS protocols</li> <li>▪ Align and confirm ownership for assessing universes within internal operations</li> <li>▪ FDR accuracy and universe analysis</li> </ul>
<p><b>Validation Webinar</b></p>	<ul style="list-style-type: none"> <li>▪ Internal and FDR sampling to test data pulls to systems prior to CMS webinars</li> <li>▪ Documentation of plan activities for internally identified issues to remediate</li> <li>▪ Operational and Compliance support during webinar</li> </ul>
<p><b>Correct Issues &amp; Prepare for Ongoing Monitoring</b></p>	<ul style="list-style-type: none"> <li>▪ Real-time/near-time identification and correction of operational noncompliance</li> <li>▪ Operational monitoring and universe pulls to promote ongoing success</li> </ul>

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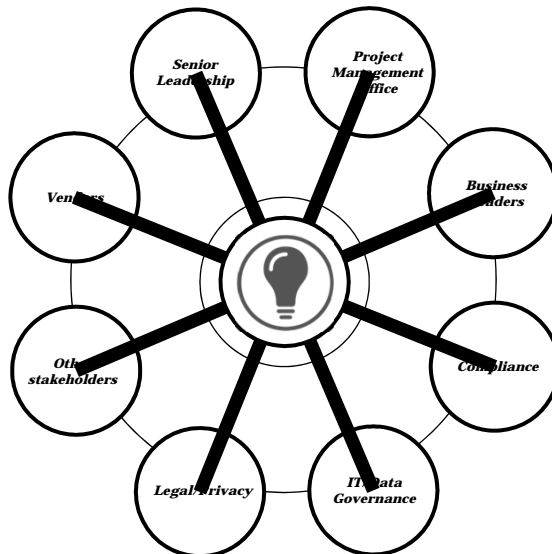
## A Model for Universe Preparation



- Frequency**
- To fully prepare for CMS TMPs and Program audits, plans should conduct universe data submission preparation at minimum once or twice a year
  - As CMS protocols are updated (i.e. addenda to protocols are released, updated protocols), plans should conduct ad hoc data retrieval from systems
  - Plans with a history of enforcement actions and those plans having received findings stemming from universe submissions should perform reviews at a higher frequency based on the severity of prior history
- Resourcing**
- Universe data submission preparation requires three sets of resources:
    - Functional area Subject Matter Specialists (SMS) and Information Technology (IT) resources** to retrieve universe data from source systems, vendors, and delegates
    - Functional area SMSs and IT resources** to develop and validate query logic used to retrieve data
    - CMS Program Audit protocol specialists** to validate universe data against CMS protocols and system(s) of record

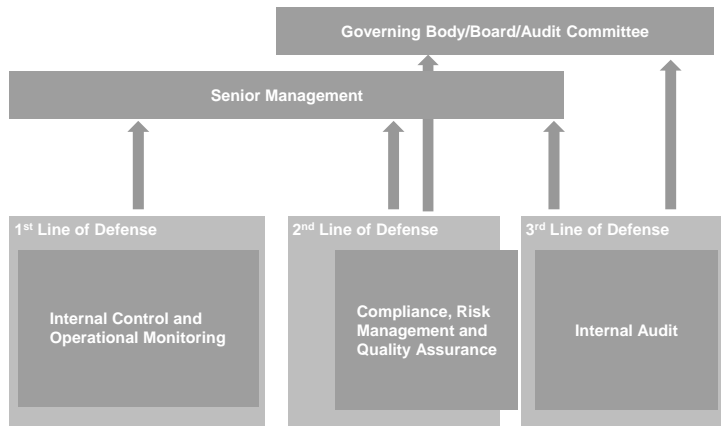
*Plans continue to assess the need for resources and sufficient tools to conduct comprehensive quality assurance of universe tables due to CMS TMP and Program Audits*

## Overall TMP and Program Audit Readiness



*For successful readiness, it is recommended that there should to be a developed and utilized communication mechanism and established task force to drive overall readiness, results, and sustain operational regulatory compliance for TMP and Program Audit*

**Utilize your organizations “three lines of defense”**



Organization's "three lines of defense" can be leveraged to perform TMP and Program Audit related for **readiness quality assurance** activities (universe and operational performance outcome and documentation review) identify process enhancements for continued and sustained performance

Adapted from ECIA/FERMA Guidance on the 8<sup>th</sup> EU Company Law Directive, article 41

**Operational Readiness**

<i>Owner</i>	<i>Evolving Leading Practices for Consideration</i>	<i>Impact</i>
<p><b>Operations</b></p> <p><i>1st Line of Defense</i></p>	<ul style="list-style-type: none"> <li>Map universe fields to data systems/systems of record, including all internal and external (FDR) inputs</li> <li>Embed CMS operational compliance requirements within operations with controls tied to timeliness requirements; document within internal policies and procedures, standard operating procedures, employee tools, etc.</li> <li>Define owners for data pull(s) and data compilation</li> <li>Assess need and impact for manual workarounds to provide accurate data to CMS in a timely fashion</li> <li>Determine operational needs to supplement, verify, and compile FDR/vendor data</li> </ul>	<ul style="list-style-type: none"> <li>Clear accountability and transparency of performance at the operational level</li> <li>Ongoing universe pull preparedness</li> <li>Ability to demonstrate operational compliance</li> </ul>
<p><b>Compliance and Internal Audit</b></p> <p><i>2nd and 3rd Lines of Defense</i></p>	<ul style="list-style-type: none"> <li>Require real-time, or near real-time, operational compliance timeliness monitoring to validate ongoing compliance with CMS compliance standards / timeliness requirements</li> <li>Timely investigate and respond to identified issues of noncompliance, fully documenting issues to support response notices of noncompliance and CMS Program Audit CPE preparedness</li> </ul>	<ul style="list-style-type: none"> <li>Helps identify and correct noncompliance before future timeliness monitoring and/or program audits</li> <li>Supports Compliance Program Effectiveness in responding to and documenting plan correction of noncompliance</li> </ul>

<b>Data Accuracy Prior to Submission</b>		
<b>Owner</b>	<b>Evolving Leading Practices for Consideration</b>	<b>Impact</b>
<b>Operations</b> <b>1st Line of Defense</b>	<ul style="list-style-type: none"> <li>Review the universe tables, including testing universe data for completeness, accuracy and table relationship interdependencies (e.g., upstream and downstream universe table layout relationships)</li> <li>Test universe table samples to source(s)/system(s) of truth for confirmation of universe tables accuracy and adherence to CMS Program Audit Protocol expectations</li> <li>Verify that all pertinent documentation, data or support for the universe(s) and or source(s)/system(s) are available and accurate</li> <li>Confirm Universe QA review and data validation to source(s) / system(s) of truth for internal functions and FDRs</li> </ul>	<ul style="list-style-type: none"> <li>Helps prevent invalid data submission and repull of universes</li> <li>Provides internal and vendor/FDR alignment in populating and validating universes prior to submission to CMS</li> <li>Aligns universe accuracy with operational ownership</li> <li>Ensures accountability of universe testing and correction of data issues at the operational level</li> </ul>
<b>Compliance and Internal Audit</b> <b>2nd and 3rd Lines of Defense</b>	<ul style="list-style-type: none"> <li>Utilize timeliness data to pull a sample of data records from the universe and perform/support data validation as a <b>Strategy</b> to confirm that complete and correct data has been provided in the received universes</li> </ul>	<ul style="list-style-type: none"> <li>Supports enhanced and independent assessment of data universe accuracy</li> <li>Drives accountability through all lines of defense for success during the TMP</li> </ul>

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<b>Webinar Validation</b>		
<b>Owner</b>	<b>Evolving Leading Practices for Consideration</b>	<b>Impact</b>
<b>Operations</b> <b>1st Line of Defense</b>	<ul style="list-style-type: none"> <li>Align on functional ownership for mock and CMS selected samples and confirm stakeholders are prepared to speak to each step of the operational process and where to indicate the data matches the system/source of truth</li> <li>Document source systems and documentation used to consistently use for the sample walk-throughs</li> <li>Be prepared to pause, mute and discuss an appropriate response when the webinar speaker cannot provide an answer/response to auditor questions</li> <li>Conduct mock-validation walk-throughs and understand areas for improvement prior to the auditor webinar</li> </ul>	<ul style="list-style-type: none"> <li>Establishes clear ownership of webinar preparedness</li> <li>Supports a baseline from which to identify and explain operational processes (and issues) to auditors</li> </ul>
<b>Compliance and Internal Audit</b> <b>2nd and 3rd Lines of Defense</b>	<ul style="list-style-type: none"> <li>Support mock webinars through simulations of sample selection and walk-throughs</li> <li>Perform independent validations of universe sample selections to system(s)/source(s) of truth</li> <li>Assess risk associated with walk-throughs related to identified issues and escalated for mitigation and ongoing enhancement of skill-sets and internal capabilities to communicate annually with auditors for TMP (and Program Audits, if selected)</li> </ul>	<ul style="list-style-type: none"> <li>Assists operations in honing abilities to communicate accurately with auditors during TMP (and other regulator activities such as Program Audits)</li> </ul>

**Strategy**

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## ***Correct Issues & Prepare for Ongoing Monitoring***

<b><i>Owner</i></b>	<b><i>Evolving Leading Practices for Consideration</i></b>	<b><i>Impact</i></b>
<b>Operations</b>  <b><i>1st Line of Defense</i></b>	<ul style="list-style-type: none"> <li>▪ Define remediation strategy and calculate an achievable timeline to execute the strategy for correction of noncompliance identified (even if CMS does not identify during TMP (or Program Audits), and do not wait for CMS to issue a notice of noncompliance or corrective action required prior to beginning corrective activities)</li> <li>▪ Focus on operational outcomes-focused solutions – remediation should be centered on CMS’s expectations for compliance of remediated issues</li> <li>▪ Identify the IT systems (including data warehouse(s)) and operational processes that will be impacted by the remediation activities, as well as the resources necessary to implement remediation activities for each impacted system and process</li> </ul>	<ul style="list-style-type: none"> <li>• Supports long-term, lasting solutions (not “band-aid fixes”) to address the deficiencies and demonstrate to CMS organizational commitment</li> </ul>
<b>Compliance and Internal Audit</b>  <b><i>2<sup>nd</sup> and 3<sup>rd</sup> Lines of Defense</i></b>	<p style="text-align: center;"><b>Strategy</b></p> <ul style="list-style-type: none"> <li>▪ Perform ongoing monitoring to oversee and confirm that changed operational performance is in compliance with CMS requirements and corrects identified issues</li> </ul>	<ul style="list-style-type: none"> <li>• Promotes ability of operations to successfully implement CMS requirements</li> <li>• Helps better prevent ongoing noncompliance through validation of operational performance</li> </ul>

## ***Long-term Considerations & Final Remarks***

## Long-term Considerations

Leading plans are leveraging TMP and operational performance/compliance data to drive accountability throughout the enterprise for operational process enhancements

Focus	Considerations / "Food for thought"
<b>Embedding Ownership &amp; Accountability for TMP Success Across the Organization</b>	<ul style="list-style-type: none"> <li>How are operational functions, vendors/FDRs, Medicare Compliance, and Internal Audit working together to mutually own success of operational performance?</li> <li>Is the plan reinventing the wheel for universe pulls on an ad-hoc basis? How are stakeholders documenting activities?</li> <li>Is the plan using lessons learned to enhance and efficiently prepare for TMP and CMS Program Audits?</li> </ul>
<b>Development of an Integrated Approach to TMP success</b>	<ul style="list-style-type: none"> <li>Are roles and responsibilities clearly defined across each line of defense, including functional leadership and operations management?</li> <li>How has Compliance supported the operational function(s) in preparing, documenting, and reducing risk(s) to the organization through TMP activities?</li> <li>Is Internal Audit providing any formal, independent objective assurances that TMP risks are reduced and that the plan's operations are meeting CMS compliance standards and timeliness requirements?</li> </ul>
<b>Utilization of TMP data to support the Medicare Line of Business Strategy</b>	<ul style="list-style-type: none"> <li>How is the plan using the TMP required data pull to better understand Medicare operational performance? Is this information used for strategy reporting and risk reduction?</li> <li>Is the plan factoring in identified issues (and areas of success) for consideration into Medicare near and long term strategy, including:                             <ul style="list-style-type: none"> <li>Appeals and Grievances functioning capacity</li> <li>Utilization Management (UM) reversals</li> <li>Rate of Independent Review Entity (IRE) forwarding</li> <li>Direct Member Reimbursement (DMR) and payment issues that may be systemic</li> </ul> </li> </ul>

## Final Remarks

- Overall document roles and responsibilities with a **culture of accountability throughout the organization** for success in meeting CMS operational compliance standards and timeliness requirements
- Confirm data accuracy and completeness**, with specific **functional responsibilities for each line of defense**
- Factor in **vendor/FDR needs and impacts** to TMP and Program Audit universes
- Utilize **TMP efforts to support Medicare line of business** success and strategy development



Analysis

Risk

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***Questions?***

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***Thank you!***

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