

Not for the Faint of Heart: Preparing CMS Tracer Case Summaries

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Preparing a Tracer

- Key considerations when developing a tracer case summary
- Successful strategies for engaging business owners in presenting tracers
- How to incorporate lessons learned from Plans who have been through CMS CPE Program Audit
- Testing oversight and accountability of FDRs involved resolving compliance and/or FWA issues



Tell the Story Using the 7 Elements

Prevention Controls and Activities

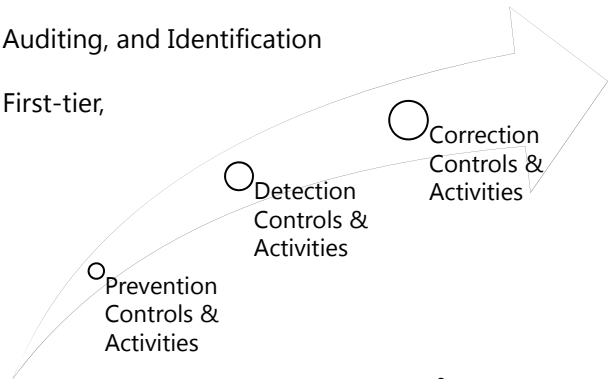
- Written Policies, Procedures & Standards of Conduct
- Compliance Officer, Compliance Committee, & High Level Oversight
- Effective Training and Education
- Effective Lines of Communication

Detection Controls and Activities

- Effective System for Routing Monitoring, Auditing, and Identification of Compliance Risks
- Sponsor Accountability and Oversight of First-tier, Downstream & Related Entities (FDRs)

Correction Controls and Activities

- Procedures for Promptly Responding to Compliance Issues



The Introduction

Summary of Tracer	<ul style="list-style-type: none"> • Issue Type • List departments and/or FDRs involved in the issue • Highlight of important details
High Level Timelines	<ul style="list-style-type: none"> • Bulleted Key Dates with Short Description • Include dates for communications to CMS, compliance committee, senior leaders
How was the Issue Discovered	<ul style="list-style-type: none"> • System test, member complaint, or self-disclosed by business owner or FDR through monitoring or auditing activity
Root Cause	<ul style="list-style-type: none"> • Description of What Went Wrong or Failed to Occur • Member Impact
Current State	<ul style="list-style-type: none"> • List of status of issue including monitoring and auditing activities currently in place

Prevention Activities & Controls

Date Sent to Compliance

- Outline who and how the issue was communicated to compliance

Date CMS Account Manager Notified of Issue

- Include reason why or why not (attach email or report in tracer)

How Was the Issue Communicated to Senior Leadership and/or Members of the Board of Directors

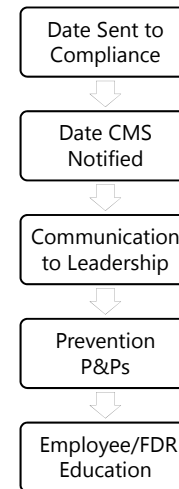
- Attach reports and/or compliance committee minutes in tracer

Prevention Policies and Procedures (P&Ps) Related to This Issue

- Highlight applicable P&Ps (attach in Tracer)

Description of Employee and/or FDR Education Activities

- Highlight job specific training addressing Medicare requirements related to the issue (attach in tracer)
- Additional training provided as result of the issue (attach in tracer)



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Detection Activities and Controls

Detection Policies and Procedures (P&Ps) Related to This Issue

- Highlight applicable P&Ps (attach in tracer)
- Highlight any revisions made to address the issue (attach in tracer)

Risk Assessment

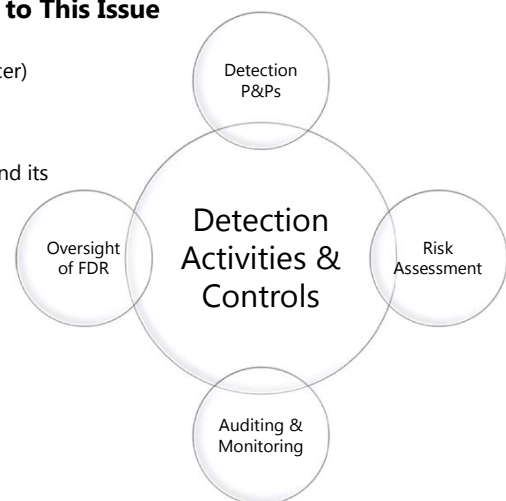
- Describe how the issue is captured in risk assessment process and its related risk

Auditing and Monitoring

- Expand description provided in FTEAM, IA, or IM universes

Oversight of FDR (if applicable to issue)

- Describe process (attach in tracer)

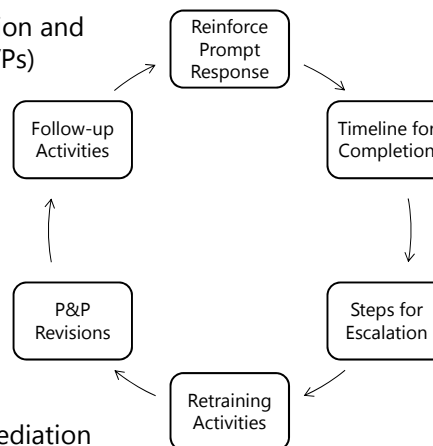


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Correction Activities and Controls

Corrective Actions Taken

- Reinforce prompt response to issue identification, investigation and issuance of corrective action plan (CAP) (attach applicable P/Ps)
- Timeline indicating CAP activities fully implemented OR if not fully implemented provide anticipated completion date
- Describe the steps for escalation, if applicable to issue
- Describe retraining activities (attach in tracer)
- Highlight any revisions made to P/Ps in order to address the issue (attach in tracer)
- Describe follow-up activities (audit) to validate effective remediation



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Program Audit Most Common Findings 2016-2017

Compliance Program Effectiveness

- Sponsor did not review OIG and GSA exclusion lists prior to hiring or contracting and monthly thereafter
- Sponsor was not able to demonstrate that its governing body, temporaries, volunteers and/or FDRs fulfilled training requirements
- Failure to establish and implement a formal risk assessment and an effective system for routine monitoring and auditing of identified compliance risks
- Failure to receive regular reports of audit and monitoring results and the status of the effectiveness of corrective actions being taken
- Failure to provide updates on results of monitoring, auditing and compliance failures to senior leadership
- Failure to maintain thorough documentation of all deficiencies identified and corrective actions taken
- Failure to develop and implement an effective system for corrective actions required of first tier entities
- Tracers did not have sufficient analysis to properly identify the underlying root cause to develop an appropriate corrective action plan
- Failure to have adequate and appropriate resources dedicated to FDR audit activities
- Sponsor did not provide evidence that it audits the effectiveness of the compliance program at least annually and that the results are shared with the governing body



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Program Audit Most Common Findings 2016-2017

Formulary Administration

- Sponsor failed to properly administer the CMS transition policy
- Sponsor failed to properly administer its CMS-approved formulary by applying unapproved utilization management practices

CDAG

- Sponsor misclassified coverage determination or redetermination requests as grievances and/or customer service inquiries
- Denial letters did not include adequate rationales, contained incorrect/incomplete information specific to denials, or were written in a manner not easily understandable to enrollees

ODAG

- Denial letters did not include adequate rationales, contained incorrect/incomplete denial information or were not easily understandable to enrollees
- Sponsor did not fully investigate and/or take actions to appropriately address all issues raised in grievances



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Questions?

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