

Monthly MCO Compliance Report

Medallion 4.0 April 2020 Deliverables



Health Care Services Division

July 24, 2020

Monthly MCO Compliance Report

Medallion 4.0 April 2020 Deliverables

Contents

Compliance Points Overview.....	2
Summary.....	3
Aetna Better Health of Virginia.....	5
Anthem Healthkeepers Plus.....	7
Magellan Complete Care.....	9
Optima Health.....	12
UnitedHealthcare.....	14
Virginia Premier.....	17
Compliance Activity Data Error! Bookmark not defined.	
Next Steps.....	20

Compliance Points Overview

MCO	Prior Month Point Balance	Point(s) Incurred for Current Month*	Point(s) Expiring from March 2020	Final Point Balance*	Area of Violation: Finding or Concern
<u>Aetna</u>	6.0	0	0	6.0	CONCERNS Late Submission
<u>Anthem</u>	10.0	0	0	10.0	CONCERNS Call Center Issue Data Submission Error
<u>Magellan</u>	10.0	0	1	9.0	CONCERNS Data Submission Error
<u>Optima Health</u>	10.0	0	5.0	5.0	CONCERNS EI Claims Issue
<u>United</u>	5.0	0	1.0	4.0	CONCERNS Data Submission Error EI Claims Issue
<u>VA Premier</u>	19.0	0	0	19.0	CONCERNS Reporting Error EI Claims Issue Contractual requirements/thresholds

**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 April 2019 (Issue date: 5/15/2019) expire on 5/15/2020 and are subtracted from the final point balance.

Summary

The **Compliance Review Committee (CRC)** met on June 4, 2020 to review deliverables measuring performance for April 2020 as well as other reported program issues. The CRC consists of five managers and supervisors from the Health Care Services division who vote on what, if any, compliance enforcement actions to take in response to identified issues of potential non-compliance.

Due to the current emergency crisis during COVID-19, Health Care Services (HCS) Compliance Unit will exercise its enforcement discretion and may not issue points and/or financial penalties on identified issues of non-compliance during this period, unless the identified areas of non-compliance are egregious violations. HCS Compliance Unit will continue to monitor and document areas of noncompliance through issuance of Notices of Non-Compliance. The Department will expect health plans to come into compliance with all aspects of the Medallion 4.0 contract prior to the end of the emergency period.

The CRC voted to issue no compliance points to managed care organizations (MCOs) for failure to meet call center and contractual requirements/thresholds, untimely deliverable submissions, data reporting errors, and untimely payment of early intervention (EI) claims.

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 December's compliance issues in letters issued to the MCOs on June 5, 2020.

Aetna Better Health of Virginia

Findings:

- No findings

Concerns:

- **Untimely Deliverable Submission:** Aetna failed to timely submit the April 2020 Other Coverage Report deliverable as required by Section 1.15.20.1 of the Medallion 4.0 Deliverables Technical Manual. The report was loaded with incorrect name on May 15, 2020 and did not go through. On May 18, 2020, the report was submitted with correct name.

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)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue. **(CES # 2819)**

MIP/CAP Update:

- No updates

Appeal Decision:

- No appeals

Expiring Points:

- No expiring points

Financial Sanctions Update:

- No outstanding sanctions at this time

Summary:

- For deliverables measuring performance for April 2020, Aetna showed a very high level of compliance. Aetna timely submitted 22 out of 23 required

monthly reporting deliverables and those deliverables did not expose any programmatic issues. One reporting deliverable was submitted late due to incorrect name (addressed above in **CES # 2819**). In summation, Aetna complied with almost every applicable regulatory and contractual requirements.

Anthem HealthKeepers Plus

Findings:

- No findings

Concerns:

- **Call Center Statistics Report:** The Department timely received the April 2020 MCO Call Center Statistics from Anthem. Upon review, a DMAS subject matter expert discovered that the report contained reporting error (incorrect time formatting using 0:00 instead of 00:00) in 100% of its entries.

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, Anthem 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, Anthem be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue. **(CES # 2811)**

- **Data Submission Error:** The Department timely received the Providers Failing Accreditation/Termination Quarterly Report from Anthem. Upon review, the Compliance Unit discovered that the report indicated that Anthem failed to report one (1) sanctioned provider. The MCO was notified of this provider on February 26, 2020.

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 specified in the Medallion 4.0 Contract and the Medallion 4.0 Deliverables Technical Manual. Thus, Anthem 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, Anthem be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue **(CES # 2812)**.

MIP/CAP Update:

- No updates

Appeal Decision:

- No appeals

Expiring Points:

- No expiring points

Financial Sanctions Update:

- No outstanding sanctions at this time

Summary:

- For deliverables measuring performance for April 2020, Anthem showed a moderate level of compliance. Anthem timely submitted all 23 required monthly reporting deliverables, and those deliverables did not expose any programmatic issues. Two reporting deliverables contained minor data errors (addressed above in **CES # 2811 & 2812**). In summation, Anthem complied with most applicable regulatory and contractual requirements.

Magellan Complete Care

Findings:

- No findings

Concerns:

- **Data Submission Error:** The Department timely received the April 2020 Maternal Care Report deliverable from Magellan. Upon review, a DMAS subject matter expert determined that the report contained data quality errors. Specifically, several High Risk members were reported as prenatal and should be marked as postpartum based on the EDD (Estimated Date of Delivery) report.

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 specified in the Medallion 4.0 Contract and the Medallion 4.0 Deliverables Technical Manual. Thus, Magellan 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, Magellan be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue. **(CES # 2830)**

- **Data Submission Error:** The Department timely received the Providers Failing Accreditation/Termination Quarterly Report from Magellan. Upon review, the Compliance Unit discovered that the report indicated that Magellan failed to report one (1) sanctioned provider.

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 specified in the Medallion 4.0 Contract and the Medallion 4.0 Deliverables Technical Manual. Thus, Magellan 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, Magellan be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a

NONC without associated compliance points or financial sanctions in response to this issue. (CES # 2813)

MIP/CAP Update:

- No updates

Appeal Decision:

- **CES # 2673:** Magellan submitted comments May 11, 2020 on **CES # 2673** (Changes to Enhanced Services):
“In accordance with the notification below, MCC VA would like to request that the Warning letter dated March 10, 2020 for an untimely change to an enhanced benefit is rescinded, in addition to the subsequent 1-penalty point and financial penalty assessed. Please advise if there are any additional questions and concerns for consideration.”

The Compliance Team reviewed Magellan’s appeal of CES # 2673 (Changes to Enhanced Services, untimely notification to DMAS on reduced cell phone minutes down to 350 from 1,000) and recommended overturn original enforcement of WARN 1pt and \$5,000 fine. The CRC agreed with the Compliance Team’s recommendations and voted overturn original enforcement of WARN 1pt and \$5,000 fine.

The following email was sent on June 5, 2020 to Magellan:

“The CRC met yesterday, June 4, 2020. During the meeting, the CRC reviewed Magellan’s May 11, 2020 email, including prior communications provided, in response to the HCS Compliance Case ID 2673 (Untimely notification to DMAS on Changes to Enhanced Services). Please be advised that MCC VA did not meet the time frame provided to submit additional information or documentation within the Comment Period. In addition, the untimely notification and changes made to Enhanced Services resulted in an administrative burden within DMAS’ Division, and could have resulted in an increase of members requesting to change health plans. However, due to the most recent provided information and remediation by MCC VA, HCS Compliance Unit offered to address this topic for discussion with members of the CRC. On June 4, 2020, the CRC voted to **overturn and rescind the Warning Letter** issued on March 11, 2020, thus rescinding the 1 point and financial penalty assessed. HCS Compliance Unit will close Case ID 2673 and will update Magellan’s Active Points Schedule to reflect current point totals.”

Expiring Points:

- No expiring points

Financial Sanctions Update:

- No outstanding sanctions at this time

Summary:

- For deliverables measuring performance for April 2020, Magellan showed a moderate level of compliance. Magellan timely submitted all 23 required monthly reporting deliverables, and those deliverables did not expose any programmatic issues. Two reporting deliverables contained minor data errors (addressed above in **CES # 2813 & 2830**). In summation, Magellan complied with most applicable regulatory and contractual requirements.

Optima Health

Findings:

- No findings

Concerns:

- **Untimely Payment of EI Claims:** DMAS timely received the April 2020 Early Intervention Services Report deliverable from Optima. Upon review, the Compliance Unit discovered that the report indicated that Optima failed to adjudicate seven (7) clean claims for EI services within 14 days of its receipt in April 2020.

Section 5.5 of the Medallion 4.0 contract requires the MCOs to adjudicate all clean claims for EI services within 14 days of their receipt. Thus, Optima violated the terms of the Medallion 4.0 contract in failing to adjudicate seven clean claims for EI services within 14 days of its receipt.

The Department requests that Optima Family Care adheres to the reporting specifications, as outlined in the Medallion 4.0 Deliverables Technical Manual under section 1.2.6. At this point, no compliance points or financial sanctions will be issued in response to this issue. However, future failure to meet claim adjudication requirements may result in contract compliance enforcement actions, including the issuance of compliance points and financial sanctions.

The Compliance Team recommended that in response to the issue identified above, Optima be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue. **(CES # 2810)**

MIP/CAP Update:

- No updates

Appeal Decision:

- No appeals

Expiring Points:

- **CES # 2081:** April 2019 – Call Center Statistics.
5 points was removed from Optima's total by closing **CES # 2081**

Financial Sanctions Update:

- No outstanding sanctions at this time

Summary:

- For deliverables measuring performance for April 2020, Optima showed a high level of compliance. Optima timely submitted all 23 required monthly reporting deliverables, and those deliverables did not expose any programmatic issues. One monthly deliverables failed to meet contract adherence requirements for EI claims adjudication within 14 days (addressed above in **CES # 2810**). In summation, Optima complied with most applicable regulatory and contractual requirement.

UnitedHealthcare

Findings:

- No findings

Concerns:

- **Data Submission Error:** The Department timely received the April 2020 Maternal Care Report deliverable from UnitedHealthcare. Upon review, a DMAS subject matter expert determined that the report contained data quality errors. Specifically, several of the Non-High Risk members were marked as prenatal and should be reported as postpartum based on the expected date of delivery.

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 specified in the Medallion 4.0 Contract and the Medallion 4.0 Deliverables Technical Manual. 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, United be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue (**CES # 2831**)

- **Untimely Payment of EI Claims:** DMAS timely received the April 2020 Early Intervention Services Report deliverable from UnitedHealthcare. Upon review, the Compliance Unit determined that the report indicated that United failed to adjudicate one clean claim for EI services within 14 days of its receipt in April 2020.

Section 5.5 of the Medallion 4.0 contract requires the MCOs to adjudicate all clean claims for EI services within 14 days of their receipt. Thus, United violated the terms of the Medallion 4.0 contract in failing to adjudicate one clean claim for EI services within 14 days of its receipt.

The Department requests that United adheres to the reporting specifications, as outlined in the Medallion 4.0 Deliverables Technical Manual under section 1.2.6. At this point, no compliance points or financial sanctions will be issued in response to this issue. However, future failure to meet claim adjudication

requirements may result in contract compliance enforcement actions, including the issuance of compliance points and financial sanctions.

The Compliance Team recommended that in response to the issue identified above, United be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue (**CES # 2816**)

MIP/CAP Update:

- No updates

Appeal Decision:

- **CES # 2730:** United submitted comments May 11, 2020 on **CES # 2730** (Data Submission errors). The letter indicated that UHC disagreed with the Health Care Services Division's findings of contractual noncompliance, and its resulting issuance of the Notice of Non-Compliance. UHC states that the report in question did not prohibit the use of blanks in the "Assessment Date" field, and further states that the report submitted followed the specifications under version 3.9 of the MCTM. UnitedHealthcare provided additional information in regards to the Medallion 4.0 contract language stating that if "the Department changes the content, format, or frequency of reports, or requires the Contractor to submit additional ad hoc or recurring reports the Contractor will be given 60 days' notice." *Blank fields for assessment date were included on the Foster Care and Adoption Assistance Member Care Coordination report. United states that they followed the MCTM specs of version 3.9, which does not prohibit blanks in that field.*

The CRC reviewed UnitedHealthcare's May 11, 2020 letter, sent in response to HCS Compliance Case ID 2730 (Reporting error on Foster Care and Adoption Assistance Member Care Coordination Report).

The following email was sent on June 9, 2020 to UnitedHealthcare.

"Please be advised that the MCTM states within the deliverable's section on General Data Requirements that "[a]ll foster care and adoption assistance members regardless of services, care coordination and/or assessments rendered shall be included in this report and there shall be no blank fields." This is found in the MCTM versions 3.7 (released 01/15/2020), 3.8 (released 02/19/2020), 3.9 (released 03/13/2020), as well as preceding and subsequent versions. Further, UHC has been receiving direct feedback from Maternal & Child Health (MCH) Unit's subject matter experts since January 2020 on UHC's deliverables, specifically including the request to "ensure that all required fields are completed on this report." Please see attached

documentation from MCH on September 2019 through November 2019 deliverables submissions communicated to UnitedHealthcare's subject matter experts. MCH provided same guidance separately on UHC's December 2019 and January 2020 submissions.

HCS Compliance Unit also acknowledges the recent edits made to the technical manual version 3.10, adding additional clarity on how to complete the data for non-completed assessments.

Therefore, HCS Compliance Unit reviewed this case with HCS leadership and decided to **overturn and rescind the Notice of Non-Compliance (NONC)** associated with Case ID 2730, issued on May 8, 2020. As there are no point or financial penalties associated with Case ID 2730, this NONC has been fully rescinded and will be reflected as closed on UnitedHealthcare's Active Points Schedule.”

Expiring Points:

- **Case # 2082:** April 2019 – MCO Claims Payment.
1 point was removed from United’s total by closing **CES # 2082**

Financial Sanctions Update:

- No outstanding sanctions at this time

Summary:

- For deliverables measuring performance for April 2020, United showed a moderate level of compliance. United timely submitted all 23 required monthly reporting deliverables, and those deliverables did not expose any programmatic issues. One reporting deliverable contained minor data errors (addressed above in **CES # 2831**). One monthly deliverable failed to meet contract adherence requirements for EI claims adjudication within 14 days (addressed above in **CES # 2816**). In summation, United complied with most applicable regulatory and contractual requirements.

Virginia Premier

Findings:

- No findings

Concerns:

- **Reporting Error:** The Department timely received the May 4, 2020 Enrollment Broker File deliverable from Virginia Premier. Upon review, a DMAS subject matter expert discovered a corrupted weekly file with truncated information. Specifically, only half of the providers were sent due to corrupted file.

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 specified in the Medallion 4.0 Contract and the Medallion 4.0 Deliverables Technical Manual. 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)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue (**CES # 2815**)

- **Data Submission Error:** The Department timely received the April 2020 Appeals and Grievances' Report deliverable from Virginia Premier. Upon review, a DMAS subject matter expert discovered that the report indicated that Virginia Premier failed to adjudicate one appeal within 30 days of their filing as required by law and the Medallion 4.0 contract.

Section 12.3 of the Medallion 4.0 contract requires the MCOs to process, resolve, and provide notice to each appeal as expeditiously as the Member's health condition requires and shall not exceed 30 calendar days from the initial date of receipt of the appeal. 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)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue (**CES # 2818**)

- **Untimely Payment of EI Claims:** The Department timely received the April 2020 Early Intervention Services Report deliverable from Virginia Premier. Upon review, the Compliance Unit discovered that the report indicated that Virginia Premier failed to adjudicate twenty-four (24) clean claims for EI services within 14 days of its receipt in April 2020.

Section 5.5 of the Medallion 4.0 contract requires the MCOs to adjudicate all clean claims for EI services within 14 days of their receipt. Thus, Virginia Premier violated the terms of the Medallion 4.0 contract in failing to adjudicate twenty-four clean claims for EI services within 14 days of its receipt.

The Department requests that Virginia Premier adheres to the reporting specifications, as outlined in the Medallion 4.0 Deliverables Technical Manual under section 1.2.6. At this point, no compliance points or financial sanctions will be issued in response to this issue. However, future failure to meet claim adjudication requirements may result in contract compliance enforcement actions, including the issuance of compliance points and financial sanctions.

The Compliance Team recommended that in response to the issue identified above, Virginia Premier be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue. **(CES # 2817)**

MIP/CAP Update:

- No updates

Appeal Decision:

- No appeals

Expiring Points:

- No expiring points

Financial Sanctions Update:

- No outstanding sanctions at this time

Summary:

- For deliverables measuring performance for April 2020, Virginia Premier showed a moderate level of compliance. Virginia Premier timely submitted all 23 required monthly reporting deliverables, and those deliverables did not

expose any programmatic issues. Two monthly deliverables failed to meet contract adherence requirements for timely resolution of internal appeals within 30 days and EI claims adjudication within 14 days (addressed above in **CES # 2817 & 2818**). One reporting deliverable contained minor data errors (addressed above in **CES # 2815**). In summation, Virginia Premier complied with most applicable regulatory and contractual requirement.

Next Steps

At this time, the Compliance Unit is continuing monthly Compliance Review Committee meetings, following up on reoccurring issues, and communicating with the MCOs regarding identified issues. The Compliance Unit is in the process of expanding the types of compliance issues it investigates, and involving itself with programmatic issues as well as technical deliverable issues.

The Compliance Unit recently expanded its enforcement efforts into the area of encounter data certifications.