April 28, 2017

**HealthChoices Contracts:**
- Adams
- Allegheny
- Berks
- Blair
- Carbon/Monroe/Pike
- Chester
- Erie
- Lycoming/Clinton
- North Central
- Northeast
- York

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**Fraud, Waste & Abuse (FWA) Compliance & Program Integrity Update**

**Scope:** This Provider Alert applies to all HealthChoices contracts.

**Purpose:** To update providers on FWA standards, practices, and resources.

Community Care and each Primary Contract have enhanced collaboration, strengthening the program as articulated in the Department of Human Services (DHS) Behavioral Health HealthChoices Program Standards and Requirements (PSR) Appendix F: Fraud and Abuse. Located on the DHS website (www.dhs.pa.gov), Appendix F describes the requirement for each Behavioral Health Managed Care Organization (BHMCO) to operate a Special Investigations Unit (SIU) to conduct FWA detection, deterrence and prevention activities.

Community Care’s Fraud, Waste & Abuse (FWA) Special Investigations Unit (SIU) is issuing this alert to keep providers informed, prepared, and up-to-date with standards, practices, and resources in order to comply with all state and federal fraud, waste & abuse laws, regulations and requirements. Specifically, this communication will address the following areas:
- Community Care - Primary Contract Collaboration
- Fraud, Waste & Abuse Policy and Procedure Revision
- Provider Compliance Plan Requirement
- Frequently Asked Questions
- Training & Resources

To view information and resources related to FWA, visit [Community Care’s website](https://ccbh.com).

**FWA Policy & Procedure Revision**

Community Care’s website houses policy & procedure which describes how Community Care monitors the Provider Network for FWA issues as required by state and federal regulations. Please assure that the individual responsible for your compliance function reviews the newly posted policy and procedure, informs agency staff and leadership, updates your Compliance Plan, as needed, and again reviews the material prior to and during a FWA audit.
Fraud, Waste & Abuse (FWA) Compliance & Program Integrity Update

Revised Fraud, Waste & Abuse (FWA) policies:
- Compliance Program Policy #FWA001
- Compliance Auditing Policy #FWA003
- Audit Appeal Policy #FWA011
- Chart Documentation, Audit Exceptions and Corrective Action Plans Policy #FWA015
- False Claims Act Policy #FWA010

Note: For audits in progress, prior to this posting, Clinical Auditor will notify Provider of which set of policies are applicable to their audit. Auditor is also available to answer questions related to this transition.

Policy Highlights include:
- Enhanced involvement of the Primary Contract in various FWA activities.
- Compliance Plans (submission and training requirement).
- Process for Provider submission of a Corrective Action Plan.
- Exception Table (audit deficiencies) and actions required based on findings.
- Scope and limitation of arbitration in FWA matters.
- Expansion of audits to additional levels of care including inpatient and residential.
- Tools: Prospective Payment Hold audits,* extrapolation.

*Prospective Payment Holds are a type of audit in which a group of claims are held at the point of provider submission. The SIU will audit each claim and Community Care will pay only those claims which are found to have no deficiencies.

Provider Compliance Plan Requirement
- Prepare, maintain, and implement written Compliance Plans and procedures as condition to entering into a Provider Agreement with Community Care.
- Include in Plan, elements described in Community Care's 2013 Provider Alert PA01 Jan-01 Provider Compliance Plans and the DHS Appendix F.
- Include a schedule to provide agency staff with training on all applicable state and federal FWA laws, regulations, and requirements.
- Measure or track the sufficiency and adherence to the Plans in meeting the requirements to applicable laws and regulations, including the DHS Appendix F.
Submit to Community Care's Network Provider Relations Department a copy of the Compliance Plan at the following intervals:
- Initial credentialing
- Re-credentialing
- When any revisions, updates, or modifications are made and adopted to the plan
- During any on-site audits or site visits and upon request (Network Provider Relations will validate inclusion of FWA training in the Plan at these intervals).

Annually, in the first calendar quarter, Community Care will submit a request to each Provider for both verification of FWA training completion for the preceding calendar year (for Providers who have been under contract with Community Care for the full preceding year) as well as a schedule for FWA training for the upcoming year (all enrolled Providers).**

After the close of the first calendar quarter, Community Care shall submit a report to the Primary Contract Administrator, summarizing Provider FWA training completion and schedule.

Specifically for 2017:
- By July 31, 2017, all providers must amend, if necessary, their Compliance Plan to include a schedule of staff training on all applicable state and federal FWA laws, regulations, and requirements.
- The initial training in FWA must be completed by the Provider for their staff by December 31, 2017.
- In the first calendar quarter of 2018, Community Care Network Provider Relations will submit a request to each Provider for both verification of FWA training completion in 2017 (for Providers who have been under contract with Community Care for the full preceding year) as well as a schedule for FWA training for 2018 (all enrolled providers).

Frequently Asked Questions (FAQ)
Based on the experience of the SIU and Primary Contract and Provider feedback and inquiries, a FAQ on FWA has been developed and is posted on the Community Care website.
Provider Alert #9

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Training & Resources
Additional web-based trainings will be added to the Community Care website this spring. The website currently offers training sessions available to Health Choices providers. Training modules are posted on the Community Care website to allow providers convenient and easy access to fraud, waste & abuse educational information. FWA Compliance Program Policy #FWA001, pages 17-22, have been dedicated to provider information, education and resources available through Community Care, state and federal programs. Providers are also strongly encouraged to attend educational programs offered by Community Care within their region, when offered.