

Magellan Behavioral Health of Nebraska, Inc.  
Compliance Committee Agenda

September 21, 2016, 11:15 am – 12:00 pm (CST)  
Magellan Goldenrod Conference Room

Committee Members
<input checked="" type="checkbox"/> <b>Lori Hack</b> , <i>Compliance Officer</i>
<input type="checkbox"/> <b>Lisa Christensen</b> , <i>Director of Quality Management</i>
<input checked="" type="checkbox"/> <b>Patty Hoofnagle</b> , <i>Senior Director of Investigations – Jackie Kline (standing in for)</i>
<input type="checkbox"/> <b>John Wendling</b> , <i>Chief Executive Officer</i>
<input type="checkbox"/> <b>Janine Fromm</b> , <i>Medical Director</i>
<input type="checkbox"/> <b>Andrew Shapiro</b> , <i>Chief Operating Officer</i>
<input checked="" type="checkbox"/> <b>Nikki Thomas</b> , <i>Compliance Analyst</i>
<input checked="" type="checkbox"/> <b>Chris Cole</b> , <i>Network Services Manager</i>
<input checked="" type="checkbox"/> <b>Chris Rowland</b> , <i>Chief Financial Officer</i>
<input checked="" type="checkbox"/> <b>Jodi Ryba</b> , <i>SIU Investigator</i>
<input checked="" type="checkbox"/> <b>Patti Ryan</b> , <i>Information Technology Director</i>
<input type="checkbox"/> <b>Shameeka Jones</b> , <i>Manager, SIU Investigations</i>
<input checked="" type="checkbox"/> <b>Carl Chrisman</b> , <i>Director Clinical Services</i>
<input type="checkbox"/> <b>Vanessa Emlich</b> , <i>Senior SIU Investigator</i>

## **Section I. Policy and Procedure Review**

Lori provided an update on all Local and Customized policies that were reviewed and updated during the previous quarter.

### **A. New and Updated Customized Policies:**

*Customized Policies adopted since last meeting:*

- Medicaid: Enrollee Communication and Information Requirements- 6/24/16  
Member communications were addressed in the original contact, so there were no changes made base on recent amendments.
- Accessibility of Service and Care- 6/27/16  
Corporate changes did not impact local procedure.
- Benefit Certification and Appeal General Guidelines- 7/28/16  
Corporate changes did not impact local procedure.
- PR-BA Authorization to Use and Disclose PHI- 8/3/16  
Corporate changes did not impact local procedure.
- Medicaid: Action Appeal- 8/4/16  
Corporate changes did not impact local procedure. NCQA standards were added to the policy.
- Medicaid Service Authorization Determination- 8/4/16  
Corporate changes did not impact local procedure.
- Recovery Care Management (corporate policy is Complex Case management)- 9/19/16  
No changes to policy.

### **B. New and Updated Local Policies or Procedures**

*Local Policies adopted since last meeting:*

- Covered Services & Substitute Or Value-Added Behavioral Health Services- 6/27/16  
No changes to policy.
- Notification and Holding Harmless of Members in the Event of Contract Termination- 6/27/16  
No changes to policy.
- Reinvestment Plan- 7/27/26  
No changes to policy.
- Indian Health Protections- 7/28/16  
No changes to policy.
- Members with Special Needs and Risk Assessment- 8/4/16  
No changes to policy.
- Non-Network Providers- 8/8/16  
No changes to policy.
- Provider Rate Changes and Rate Setting- 8/8/16  
No changes to policy.
- Staffing Adequacy- 8/18/16  
This policy was updated based on contract amendments that address staffing through 12/31/16 and post termination. Policy language mirrors language from the amendment and requires that Magellan maintain staff to carry out responsibilities.

### **C. Future Policy Updates**

Lori has discussed policy updates moving forward with Regional Compliance Officer, Brenda Hornbuckle-Davis. At this time all policies are up to date and will be considered final unless there are new requirements. For future reference, Lori has created a shared folder with all final policies, as well as redlined versions. Policies are also available on Magnet.

### **D. Corporate Policy Notifications:**

*New:*

- Physical Security  
Content from Enterprise Security policy will be retired.

*Substantive Changes:*

- No corporate policies had substantive changes for this reporting period

*Non-substantive Changes:*

- Regulatory and Statutory Compliance Investigations
- New Technology Assessment
- Medicaid Reclamation Requests from State Agencies

*No Changes:*

- Administrative Benefit Guideline Exceptions
- Timeliness of Claims Processing
- Medicaid Claims Payment for Excluded Providers
- Employee E-mail
- Employee Internet Usage
- Dealing with Hostile or Abusive Callers
- Routine Inquiries

## ***Section II. Regulation/Legislative and Training***

### **A. Legislative and Regulatory Updates**

The Nebraska Legislature adjourned on April 20, 2016. There are pending changes that will impact plans that are active in 2017, but there is nothing directly related to Magellan.

### **B. Compliance-Related Staff Trainings**

Annual HIPAA Privacy & Security Refresher Training was completed by all staff by the 9/14/16 deadline.

## ***Section III. Compliance Reporting and Communication***

### **A. Fraud, Waste and Abuse (FWA) Identification and Investigation Activities**

There are currently 30 open cases/incidents. This is a slight decrease from previous quarters. There are 84 closed cases since 9/1/2013.

A list of all inactive cases has been provided to MFCU/PI. Vanessa is working closely with them around transition and they have express support of the transition plan. Cases that they have placed on hold will be closed with Magellan and a final report will be sent.

**B. Provider monitoring and appeals**

There was a significant increase in claims appeals recently. There was no clear cause of the increase and numbers have returned to normal.

There has also been a sharp increase in State Fair Hearings on claims and technical denials. The assumption of the team is that providers have become more aware that Magellan will no longer be providing services and are trying to resolve outstanding items.

**C. HIPAA & Unauthorized Disclosures**

There were no unauthorized disclosures in June, July or August. There were no violations found in desktop audits in June, July or August.

**D. Letter/Form Development & Protection**

CMC letter/form development workgroup met on 2/19/16 and it is not anticipated the workgroup will have reason to meet again.

***Section IV. Enforcement of Compliance Standards, Policies and Procedures***

**A. Identified Areas of Non-Compliance**

There are no identified areas of non-compliance

***Section V. Auditing and Monitoring***

**A. Auditing Activities**

IPRO conducted an annual on-site audit on 5/23/16. Written results were received on 7/22/16 and all items were found to be in full or substantial compliance. An MCO review was completed as part of CMS audit of Nebraska Medicaid on 5/18/16. No report has been received, and is not expected prior to close of business in Nebraska. No additional audits are anticipated.

Eligibility to Capitation review identified approximately 100 items of concern. Eligibility is working through those and finding minor errors that they are correcting. The final report has not yet been received.

***Section VI. Corrective Action Planning (CAP) and Monitoring***

**A. Creation of new CAPs**

None

**B. Monitoring of Approved CAPs**

None

***Section VII. Annual Review of Compliance and FWA Policies***

**A. Nebraska Anti-Fraud Policies**

- Reporting of Suspected Fraud, Waste, and Abuse Policy updated 5/20/16.

**B. Nebraska Compliance Policies**

- Medicaid Compliance Program Policy last updated 5/3/16
- Local Compliance Committee Description & Org Chart last updated 5/18/16

**C. Nebraska Annual Fraud & Abuse Compliance Plan**

Above fraud, waste and abuse compliance policies were included in annual Fraud and Abuse Compliance Plan that was submitted to MLTC on June 20, 2016 and approved by MLTC on 7/11/16.