

Meeting: Regional Compliance Committee

Meeting Date: April 19, 2019

KEY DISCUSSION TOPICS

Attendees:

BABH, CEI, CMHCM, Huron, LifeWays, MCN, Newaygo, Right Door, Saginaw, Shiawassee and Tuscola

MSHN Staff: Kim Z.

Not Present: GIHN

- Compliance Officer Training Resources
- OIG FY19 Q2 Report
- Reintroduction of 42 CFR Part 2 Overhaul
- Criminal Background Checks for those enrolled in CHAMPS
- HCCA Conference Updates
- Disqualified Individuals Policy
- PIHP Compliance Officers Meeting Update
- Open Discussion

✓ **KEY DECISIONS**

- Addition to Agenda: Consent to Share question
- Compliance Officer Training Resources
 - ✓ <https://oig.hhs.gov/compliance/> : Good info on this site. Can use these resources (webcasts, etc.) that will count as Compliance Officer training.
 - ✓ HCCA: National Conference is available to get training but very expensive. There is also a regional conference in Ann Arbor coming up in June; Kim or Michael will send out this information.
 - ✓ Everyone: We should all start keeping a log to show how we as Compliance Officers are trained, including certificates, etc., as evidence of training in case asked for by OIG
 - ✓ Kim Z. (1) will bring up the suggestion at next PIHP Compliance Meeting that Compliance track be added to the Improving Outcomes conference. (2) will put information out in Box on Compliance resources and training resources, and we all can also upload information for group use. (3) will be creating “cheat sheets” of old and new rules as resources.
- OIG FY Q2 Report
 - ✓ Everyone: FY19 Q2 report is due 4/26/19 to Kim, as it is due mid-May to OIG. Remember, add any activities that begin OR end in Q2. Be sure to include any of those activities that weren’t resolved in Q1 but got resolved in Q2: just copy it over from Q1 and update any fields.
 - ✓ Kim did hear that for Q1, the report got a “pass” by OIG. Reports are “graded” by OIG as “Pass” or “Fail
 - ✓ Report column of “suspected fraud, Yes/No”—if put YES in that field, then you must have submitted a referral form to the OIG & there is formal investigation. If it is not fraud, then put NO. If simple error & it is not suspected fraud, then it doesn’t need to be reported UNLESS there is any overpayment/recoupment; all overpayments/recoupments need to be reported.
 - ✓ Disenrollments tab: clarified terminated “for cause”: this is termination related to Medicaid fraud, waste or abuse. Kim will do an informational letter that we can send to providers
- Reintroduction of 42 CFR Part 2 Overhaul
 - ✓ Bills are being reintroduced to update 42 CFR Part 2 to better align with HIPAA and the Mental Health Code, which would be good for the system for aligning sharing of information—would help with coordination of care. Kim will keep the group posted.
- Criminal Background Checks for those enrolled in CHAMPS
 - ✓ We still are required to do monthly exclusion checks as Champs processes for doing checks does not meet our requirements.
- HCCA Conference Updates

	<ul style="list-style-type: none"> ✓ Kim has handouts from BH track she attended and will upload all info to Box for reference. She shared some information learned at the conference • Disqualified Individuals Policy <ul style="list-style-type: none"> ✓ New development: Letter MSHN obtained from AG related to (autism) Behavior Technicians (BACBs) from the Public Health Code—any individuals who is a BT <u>cannot have any criminal history</u>. This is NOT in our contract or provider manual, etc, requirements; AG made recommendation with Medicaid Director and MFCU that Mental Health Code be changed to comply with the Public Health Code. This could be a small percentage of provider staff that this would affect. Kim will bring up this issue to MDHHS at the upcoming autism audit for clarification around this rule. ✓ Clarified we DO have to follow the Mental Health Code AND the Public Health Code. ✓ Reviewed final changes to Disqualified Individual Policy. Will reword Public Health Code rule regarding Behavior Techs to be exactly as it reads in the PH Code. • PIHP Compliance Officers Meeting Update <ul style="list-style-type: none"> ✓ Talked about OIG report; it doesn't fit with our system; trying to get OIG to update instructions. OIG is wanting to get additional reporting from PIHPs as part of contract negotiations related to the integrity section; PIHPs looking to reword contract language so that reporting requirements can only be changed when agreed by both parties. ✓ PIHPs are going to recommend OIG utilize the PIHP workgroup as a resource before they make changes to reporting in the contract so they can better understand what they are asking for, etc. ✓ Standardized compliance training is going to have a standardized post-exam ✓ Michigan False Claims Act: Federal OIG is not accepting Michigan's—a couple of things they don't agree with—doesn't have an inflation model; we have to be sure we are following the federal law. • Open Discussion <ul style="list-style-type: none"> ✓ Consent to Share question (Stefanie): clarification on section of consent form regarding exchange of information electronically that this is related to exchange via an HIE, not via email, etc.
<ul style="list-style-type: none"> ✓ KEY DATA POINTS/DATES 	<ul style="list-style-type: none"> • Next Meeting: June 21, 2019 (3rd Friday of the month from 10:00am – 12:00pm) (May meeting was cancelled)