CMS Program Audit Preparation – Best Practices and Lessons Learned

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Agenda

- Introduction to VIVA
  - VIVA Overview
  - Compliance Overview
- Before the Audit Notice
- At the Audit Notice
- During the Audit
- Takeaways

VIVA Culture of Compliance

- Compliance starts from the top
  - Quarterly Compliance Reports to the Board
    - Direct lines of communication with the Board as needed
- Bi-Weekly Meetings with Senior Management
- Bi-Weekly Medicare Operations Meetings
  - Management and representatives from all departments working with Medicare products
  - Regular reporting and updates from all departments
  - Forum to discuss upcoming or outstanding issues

Create Compliance Awareness

- Company-wide emails
- Company newsletter
  - Articles on specific issues
  - General articles
- VIVA Intranet
  - P&Ps
  - CMS Program Manuals

Create Compliance Awareness (cont.)

- Meet with Departments regularly
  - Be a person versus the Compliance Department
- Compliance Wallet Cards and Quick Reference Compliance Plan
- Displaying training slides on break room monitors

Audit Success Starts Now

- Successful compliance stems from every department owning its compliance responsibilities throughout the year
- Compliance Department:
  - Coordinates
  - Leads
  - Motivates
  - Monitors

Before the Audit Notice

- Create a healthy respect for the audit
  - Share audit results from other plans
    - Scary ones
      - 27 of 29 plans audited in 2013 received a CMP
    - Good endings
      - Lessons learned from other plans
- Coordinate receipt, distribution and follow-up of HPMS memos
- Use CMS Best Practice memos
  - Compare them to what you are doing
  - Identify potential shortfalls

Audit Protocols – (Audit Playbook)

- Review and distribute as quickly as possible
  - Share with all Departments and FDRs

- Meet with Departments, FDRs and IT
  - Agree on requirements and clarify with CMS as needed
  - Identify any needed data not readily available

Monthly Universe Review

- Ensures Universes can be pulled quickly
- Provides samples for internal audits and practice webinars
- Serves as a monitoring tool
- Reviewed by Department and Compliance
- Provides a starting point for the Audit Universes

Internal Audits

- Based on CMS Audit Protocols
  - Another tool to confirm universe data is correct
  - Practice for the Departmental Audit teams
- Internal audits should be more rigid than CMS
  - Set the goal to exceed requirements – not just meet requirements
- Do not forget those areas not specifically in the audit protocols because all areas are connected

Webinar Practice

- Focus on individual components (e.g., Part C Grievances)
  - Confirm what systems and screens are needed
  - Identify a logical path to walk through samples
  - Identify your presenters
  - Practice concise but complete answers
- Do not forget the basics
  - Practice explaining even the most basic systems/items

Webinar Practice (cont.)

- Treat these webinars like a real CMS audit
- Be tough and put the teams on the hot seat
  - They will thank you afterward!
- Work up to full teams (multiple departments) in room
- Give feedback
- Give yourself time – Initial practices for all teams took much longer than the actual audit

Audit Webinar Teams

- Establish Audit teams by Department
  - Roles (Presenter, Research, Notes, etc.)
  - Names
  - Contact information
  - Back-ups
- Team rosters held by compliance and department

Webinar Practice – Compliance Department

- Compliance presence in the audit room
  - Give suggestions on answers
  - Allows Compliance to explain audit process
  - Allows Compliance to experience audit from the "other side"
- As the auditor in the other room
  - Two hats
    - Auditor
    - Coach
      - Provide real-time feedback

Audit Practice - External Auditor

- Gives another perspective
  - Universe preparation
  - Sample review
- Not just Compliance in the other room
- 2012 – Engaged a consultant to give feedback on our first universes based on CMS Audit Protocols
- 2014 – CDAG audit by an external vendor

Audit Notice – Friday Phone Call

- Step one
  - Vent "$#&&@!"
  - Catch your breath

- Step two
  - Notify Compliance Department
  - Notify CEO and ensure HPMS access

Audit Notice – Friday Phone Call (cont.)

- Step three
  - Notify teams (do not forget IT)
  - Notify PBM and FDRs

- Step four
  - Tell your family
  - Set expectations of time requirements

Audit Preparation

- Meet with departments individually
  - Confirm Universe status
  - Finalize Webinar teams
    - Anyone out of the office
    - Confirm who is on multiple teams
  - Reinforce expectations – Collaboration not adversarial

Audit Preparation (cont.)

- CMS provides a schedule
  - Plan your preparation around the CMS schedule
- Start a list of questions for CMS
- Take advantage of the calls with CMS to discuss universes
- Work with CMS to schedule around key personnel required in multiple webinar sessions
- Establish process for uploading documents

Universes

- Review, Review, Review
  - By Department
  - By Compliance
  - Send back until perfect
- Having monthly universes was very helpful
  - Much more stressful for teams who were not able to pull and review universes monthly

Webinar Rooms

- Four sessions going simultaneously
- If possible, have rooms close together
  - Allows key personnel and Compliance to move from one to another easily
- Large monitor per room where everyone can see what the auditor sees
- Multiple computers
  - Presenter connected to the monitor
  - Other team members have other screens ready as needed
  - We used training rooms

Webinar Rooms (cont.)

- Confirm access and function of software
  - CMS webinar system
  - Internal systems
- Assign seats by team and team member
  - Ensures people who need to be together are together
  - Increases efficiency and reduces stress
- Put up posters/reminders
  - Show member focus
  - Silence cell phones
  - Nothing but the facts
  - Answer with a smile
  - Words of encouragement

Audit Practice

- Practice, Practice, Practice
  - Practice in the rooms where the webinars are scheduled
  - Use the equipment you will use in the audit – Make sure it works properly
  - Practice does not make perfect – Practice makes permanent
    - Practice as if this is the actual audit webinar

Audit Practice (cont.)

- Challenge the teams
  - Review samples that may be selected by the auditors
    - Identify any issues beforehand
    - Do not be surprised
    - We practiced many of the audit samples
  - Ask tough questions
    - Does someone buckle
    - Does someone get defensive
  - Debrief after each session
- Clear and concise answers during the webinar – lead to fewer late nights of sample documentation and uploading

During the Audit - Audit Week 1

- Arrive early and be ready

- Check for samples regularly to give yourself the maximum amount of time to review and prepare

  - Designate someone to check on samples

  - Send a group text alert of samples being ready

  - Save the samples in a secure, shared electronic folder where the teams have access

During the Audit- Audit Week 1 (cont.)

- Share results from room to room in real-time
  - Text/email successes and misses
  - Trends/issues identified
- Provide refreshments and lunch for the teams
- Be prepared to upload samples every day
  - Compliance should review every sample before upload

Audit Week 1 - Compliance

- Regroup at Breaks/Lunch
  - Lessons learned to be shared with other teams
  - What went well and what did not
  - Preliminary sample documentation requests
    - Confirm who is pulling, reviewing, uploading

Audit Week 1 – Compliance (cont.)

- Regroup at End of Day
  - Same as prior slide
  - Discuss expectations for tomorrow
  - What else has been requested for CPE
  - Prepare update for Senior Management
  - Identify any issues with pulling requested documentation and let the auditors know as soon as possible (use sparingly)

Webinar Intangibles

- Collaboration not "us versus them"
- Customer Service 101/Southern Charm – Answer with a smile
- Be confident (or at least project an air of confidence)
- Take a second to think about your answer – Do not be afraid to respectfully ask for a minute and discuss your response with team, if needed
- Be flexible and expect the unexpected
  - Be ready for the parade outside the building

Audit Week 2 (CPE) - Onsite

- Send reminder to entire company that CMS will be on-site
  - Opportunity for a little spring cleaning
  - Opportunity for Compliance/HIPAA reminders
- Remind everyone that CMS will interview employees
  - Personally go get the employees selected for interview
  - Put them at ease
    - Let them know the auditors are "not out to get them"
  - Reinforce – Honesty and Transparency

Onsite Auditor Rooms

- Have a main room reserved for the week
  - Big enough for 6-8 people
- Additional rooms (1-2) for interview sessions
- Designate someone to monitor the audit room
  - Allows quick response to auditor requests
  - Prevents accidental interruptions

CPE Tracer Samples

- Tracer Samples
  - Issues identified during the audit
  - Issues identified during initial documentation uploads
- Know the Seven Elements of an Effective Compliance Program and be able to identify them as you walk through each sample
  - Departmental personnel
  - Compliance personnel

Operational Best Practices

- Audit Findings Briefing Document
  - All Quality of Care Grievances reviewed by Medical Director
  - Written response for all Part C Grievances
  - Outstanding process to categorize grievances with written responses from each department engaged in the resolution

Operational Best Practices (cont.)

- Noted during individual sessions
  - Individualized denial letters with specific denial reasons that are relevant to member and the provider
  - Documentation of multiple outreaches at different times and different modes to request additional information
    - Who made the outreach and who was contacted
    - Mode of outreach
    - Date/time of outreach and result
  - Culture of Member Focus in all decisions

Takeaways

- Be open and transparent
  - Let the auditors know of issues you discovered
    - Better than letting them show you
    - Better than trying to hope they will not be noticed
  - If you have a plan to correct an issue, share it
- Do not be afraid to challenge the auditors
  - Be respectful
  - Have backup/documentation for your challenge
  - We challenged some of the decisions – won some and lost some

Takeaways (cont.)

- It is a team effort – Requires everyone, not just the teams participating in the audit
  - VIVA HR and IT went above and beyond in helping ensure rooms and personnel were ready for the webinars
- Success comes from
  - Good people who know what to do and do it correctly
  - Challenging yourself throughout the year to ensure compliance with the rules

Being CMS Audit Ready

- Audit preparation starts now
- What you do before the audit sets the tone and expectations for the audit
- Regardless of how you practice and prepare in the weeks between the Notice and Audit start:
  - If you are doing it correctly now, it will show
  - If not, it will show

2015 Parts C and D Program Audit

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2015 Audit Process
Stage 1: Pre-Audit Steps

1. CMS issues Audit Engagement Letter – 6 weeks prior to the audit.
2. CMS holds universe calls with sponsor – within 1 week of the follow-up call.
3. Sponsor submits audit issues summary and beneficiary impact analyses (BIAs) – within 5 days of issuance of audit engagement letter.

2015 Audit Process
Stage 1: Pre-Audit Steps (cont.)

4. Sponsor submits universe data and documentation requests – within 15 days of issuance of audit engagement letter.
5. CMS conducts universe validation webinars for CDAG and ODAG – once universes are deemed complete.
6. Sponsor resubmits universes if required.

2015 Audit Process
Stage 2: Audit Steps

Week 1

CMS conducts program audit via webinar; reviews are conducted simultaneously:

- Compliance (two tracer sessions)
- Formulary
- CDAG
- ODAG
- SNP MOC

2015 Audit Process
Stage 2: Audit Steps (cont.)

Week 2

CMS conducts compliance program effectiveness audit on-site:

- Three tracer sessions
- Interview with Medicare Compliance Officer
- Interview with SIU/ FWA Director
- Interview with employees (10 total randomly selected)

Validation Updates

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Special Needs Plan – Model of Care

- SNP-MOC conditions are validated by conducting a system walkthrough.

Formulary Administration

- For all FA ICARs and CARs, the SO will submit and present test claims that are relevant to a drug that was impacted by the condition found during the audit.

  - The SO should submit all screenshots related to the test claim to CMS prior to the validation webinar.

- For FA Transition, the SO will be required to show the member in the test claim is eligible for a transition fill.

Closing an Audit

- SOs who fail validation will be referred to the Division of Compliance Enforcement.
- A SO's Account Manager will issue a NONC to any sponsor who received an audit close out letter with open conditions.

Potential Changes for 2016

- CMS's final rule effective March 16, 2015, amended the MA & Part D program regulations by adding new provisions CFR 42 §§ 422.503(d)(2) and 423.504(d)(2) to our program audit and inspection authority to allow CMS to require an SO to hire an independent auditor to conduct a review and attest that deficiencies found during a program audit were corrected.

- SOs who receive a CMP or sanction will be required to obtain an independent auditor.