

| <b>HEALTH PLAN POLICY</b>   |   |
|---|---|
| <b>Policy Title:</b> Communications Regarding Regulatory Changes and Deliverable Tracker  | <b>Policy Number:</b> AC02<br><b>Revision:</b> G  |
| <b>Department:</b> Administration   | <b>Sub-Department:</b> Compliance   |
| <b>Applies to Product Lines:</b> <input type="checkbox"/> Medicaid <input type="checkbox"/> Children’s Health Insurance Plan <input checked="" type="checkbox"/> Health Insurance Exchange <input checked="" type="checkbox"/> Medicare <input checked="" type="checkbox"/> USFHP <input checked="" type="checkbox"/> Commercial Insured <input checked="" type="checkbox"/> Non Insured Business |   |
| <b>Origination/Effective Date:</b> 12/09/14   |   |
| <b>Reviewed Date(s):</b>  | <b>Revision Date(s):</b> 03/04/2016, 09/28/2017, 02/08/2018, 08/23/2018, 01/30/2019, 04/21/2020, 04/14/2021 |

**SCOPE:**

The purpose of this policy is to properly implement new and updated requirements, such as statutory, regulatory and sub-regulatory changes, and to have an effective way to communicate information from the compliance department to business owners, subcontractors, and First tier and Downstream Related entities (FDR).

**DEFINITIONS AND ACRONYMS:**

- **Centers for Medicare and Medicaid Services (CMS)** – The federal agency responsible for administering the Medicare and Medicaid programs.
- **Downstream Entity** – Is any party that enters into a written arrangement, acceptable to CMS, with persons or entities involved with the Medicare Advantage benefit or Part D benefit, below the level of the arrangement between a Medicare Advantage Organization (MAO) or applicant or a Part D plan sponsor or applicant and a first-tier entity. These written arrangements continue down to the level of the ultimate provider of both health plan and administrative services.
- **First Tier Entity** – Is any party that enters into a written arrangement, acceptable to CMS, with an MAO or Part D plan sponsor or applicant to provide administrative services or health care services to a Medicare eligible individual under the Medicare Advantage Program or Part D program
- **Health Plan Management System (HPMS)** – Management system used by CMS
- **Subcontractor:** Any individual or entity, including an Affiliate, which has entered into a Subcontract with the health plan.

**POLICY:**

The compliance department develops and maintains an effective method of communicating statutory and regulatory changes to the appropriate parties of the health plan, and the health plan’s FDRs and subcontractors, which also tracks the implementation of such changes.

- A. **Initial Analysis** - When the compliance department receives any statutory, regulatory or sub-regulatory guidance, such as manuals, training materials, guides, CMS issued Fraud Alerts, HPMS memos, etc., the compliance department will analyze the contents of the guidance to examine any possible implications for the health plan. Implications from regulatory or statutory changes that may affect the plan include, but are not limited to:
  1. Changes impacting the health plan’s members;

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2. Changes to the health plan's policies and procedures;
3. Systems process changes;
4. Policy guidance; and
5. Regulatory filing deadlines.

**B. Communication of information to departments** - The compliance department summarizes the contents of regulatory communications, emphasizing any crucial deadlines, business impacts or actions required to be taken by business units.

1. Compliance develops, with input from the business units, a regulatory distribution list, which will be updated regularly to ensure the appropriate parties in each department are identified.
2. Compliance disseminates an email to the assigned business owners, concerning the regulatory memorandum/notification. The email will contain the following items:
  - a. Identify if the item is actionable or informational,
  - b. Agency,
  - c. Urgency,
  - d. Received Date (by health plan),
  - e. Department(s) affected,
  - f. Purpose of the Notification,
  - g. Action Required.
  - h. If action is required, date required to be implemented.
3. The regulatory memorandum/notification, summary and analysis are distributed within five (5) business days of receipt, unless a critical deadline demands otherwise.

**C. Monitoring of regulatory memorandum/notification process**

1. In order to maintain effective oversight of the regulatory memorandum/notification process, compliance will record the receipt of all regulatory communications in a regulatory update and distribution-tracking log. The log will maintain the following information:
  - a. Topic,
  - b. Issue date,
  - c. Originating agency,
  - d. Date of receipt (by health plan),
  - e. Date compliance department disseminated to business owner(s),
  - f. Assigned business owner(s) responsible for implementing policy changes, and updates contained in the regulatory memorandum/notification,
  - g. Deadline,
  - h. Close Date,
  - i. Attestation completed (if applicable),

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- j. Supporting documentation submitted demonstrating completion of actions/tasks, and
  - k. Status of the topic.
2. On a weekly basis, the compliance department will re-examine the tracking log and follow up with the appropriate departments at or nearing deadlines to determine the status of the implementation.
  3. If FDRs or subcontractors are impacted by the regulatory changes, the compliance department works with the departments responsible for oversight of the FDRs/subcontractors to ensure that the message is communicated and outstanding issues are resolved timely. FDRs attest to and are expected to follow all HPMS memos and state and federal regulatory guidance.

### D. Attestation and submission process

1. If the notification requires an actionable item, compliance works with the business owner(s) to validate the completeness of the proposed process improvement/response to the request.
2. Once the work plan and a process improvement/response is implemented, management submits an attestation to compliance agreeing with the steps, scope of issues, proposed plan and the date the task/objective has been completed.
3. The compliance department provides a monitoring report to the compliance committee on a quarterly basis. Additionally a compliance report is provided to the health plan board of directors to confirm appropriate and timely implementation of all regulatory memorandum/notifications.

### REFERENCES:

- CMS Medicare Managed Care Manual, Chapter 21, Compliance Program Guidelines, with specific subsections as noted throughout the policy.
- CMS Prescription Drug Benefit Manual, Chapter 9, Compliance Program Guidelines
- CMS Compliance Program Data and Document Requests

### RELATED DOCUMENTS:

- HPMS Memo Monitoring AC33

### REVISION HISTORY:

| Revision | Date       | Description of Change   | Committee            |
|----------|------------|---|----------------------|
| New      | 12/09/2014 | Initial release.  | Board of Directors   |
| A        | 03/04/2016 | Updated to current template. Updated Definitions and Acronyms.                              | Board of Directors   |
| B        | 09/28/2017 | Yearly Review. No content change. Changed signatory to reflect CEO.                         | Board of Directors   |
| C        | 02/08/2018 | Compliance review.  | Executive Leadership |
| D        | 08/23/2018 | Compliance review.  | Executive Leadership |
| E        | 01/20/2019 | Compliance review. Added CMS issued Fraud alerts to initial analysis. Corrected minor typo. | Executive Leadership |

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| F | 04/21/2020 | Yearly review. Updated References and miscellaneous verbiage throughout policy. | Executive Leadership |
| G | 04/14/2021 | Yearly review. No change to policy content.                                     | Executive Leadership |
|   |            |   |                      |



**Regulatory Update & Distribution Attestation of Implementation**

*Please sign and email to Compliance. An electronic signature is preferred.*

I [Click here to enter text.](#) attest, based on my knowledge, information and belief, that the implemented process improvement and/or response is complete, accurate and truthful. This attestation applies to all requirements contained in the regulatory memorandum/notification, and any other related guidance.

I further attest to having confirmed that all affected parties have been made aware of the required implementation, to include any affected subcontractors/first-tier & downstream related entities.

\_\_\_\_\_  
(NAME & TITLE)

\_\_\_\_\_  
Date

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**Regulatory Update & Distribution Attestation of Implementation**

*Please sign and return to Compliance. An electronic signature is preferred.*

**Email Subject Line: REGULATORY UPDATE & DISTRIBUTION NOTIFICATION: (INFORMATIONAL/ACTIONABLE)**

**<TITLE OF MEMO>**

**Agency:**

**Urgency:**

**Received Date:**

**Department(s) Affected:**

**Purpose of Notification:**

**Action Required:**

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Regulatory Update and Distribution Issues Log  
CHRISTUS Health Plan Compliance

| Issue ID | Topic | Issue Date | Originating Agency | Date of Receipt (by health plan) | Compliance Dissemination Date | Business Owner(s) | Deadline | Close Date | Attestation Completed | Status |
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