

Provider Monitoring Process

This statewide provider monitoring process is applicable for all providers including direct vendors and Organized Health Care Delivery Systems (OHCDS) qualified to provide Consolidated and/or Person/Family Directed Support (P/FDS) Waiver services.

The provider monitoring process described in this document excludes Intermediate Care Facilities for persons with an Intellectual Disability (ICFs/ID), Supports Coordination Organization (SCO) providers, Agency with Choice and Vendor Fiscal/Employer Agent (VF/EA) Financial Management Services (FMS) providers, public transportation providers and all providers delivering only base-funded services.

The mission of the Office of Developmental Programs (ODP) is to support Pennsylvanians with developmental disabilities to achieve greater independence, choice and opportunity in their lives. ODP's vision is to continuously improve an effective system of accessible services and supports that are flexible, innovative and person-centered. Provider Monitoring is one of the monitoring processes that ODP uses to evaluate our current system and identify ways to improve it for all individuals.

As part of the Office of Developmental Programs (ODP) quality management strategy, provider monitoring has been designed to be comprehensive, standardized and measurable. Standard processes, tools and data collection documents assist ODP with validating that providers are qualified and services are provided in compliance with the 55 Pa. Code Chapter 51 regulations, Consolidated and PFDS Waivers, ODP's policies and procedures, federal and state requirements and the current *Provider Agreement for Participation in Pennsylvania's Consolidated and P/FDS Waivers* (Provider Agreement) or any current approved revisions.

Provider monitoring must verify compliance with the assurances defined in the waivers in accordance with 42 CFR § 441.302, 55 Pa. Code Chapter 51 and allow ODP to verify providers' compliance with federal and state regulations and the waivers.

The Administrative Entity (AE) shall ensure the health and welfare of individuals at all times. If an AE determines there is an imminent threat to the health and welfare of an individual, the AE shall take immediate steps to ensure the health and welfare of the individuals and contact the appropriate regional ODP office. Based on circumstances, the AE shall proceed according to ODP Bulletin #6000-04-01, *Incident Management*, ODP Informational Packet 031-15 Amendments to 55 Pa. Code §6000, ODP Statement of Policy, Subchapter Q as a result of Adult Protective Services and 55 Pa. Code Chapter 51 as determined appropriate by the regional ODP office.

Provider monitoring activities must be conducted in accordance with the Health Insurance Portability and Accountability Act (HIPAA) requirements. Electronic distribution of materials is permitted; only if the parties involved have the means to distribute, receive and read information in electronic form, and as long as the electronic

distribution of the materials is completed in a secure and protected manner in compliance with HIPAA requirements.

Providers and Lead AEs are required to ensure that their provider monitoring contact information maintained with ODP is accurate and up to date. ODP lists this information on the Provider Information Center (<http://pic.odpconsulting.net/>) and ODP AE Information Center (<http://aeinfo.odpconsulting.net/>). Any change in this contact information must be immediately reported to ODP through the Provider Monitoring mailbox at ra-odpprovidermonito@pa.gov.

The section below identifies several terms applicable to provider monitoring:

AE Review Report: The standardized ODP cover letter and ODP Corrective Action Plan (CAP) comprise the AE Review Report. The report, developed and submitted by the AE to the provider, Reviewing AE and ODP, summarizes the findings from the on-site review of the provider monitoring tool during the AE's on-site review of the provider.

AE Tracker: An Excel spreadsheet developed by ODP in which Lead and Reviewing AEs track the completion of the provider monitoring process activities for submission to ODP.

Corrective Action Plan (CAP): A plan developed by a provider to resolve non-compliance and avoid recurrence of non-compliance. The CAP is the portion of the AE Review Report which lists the specific questions from the Provider Monitoring or Vendor/Transportation Monitoring Tool or the requirement(s) found by the AE to be in non-compliance. The provider documents on the template its remediation and improvement actions with target dates to ensure compliance with ODP requirements.

Directed Corrective Action Plan (DCAP): A document developed or approved by the Department or the Department's designee to resolve non-compliance. A DCAP can be the portion of the AE Review Report which lists the specific questions from the provider monitoring tool or the requirement(s) found by the AE to be in non-compliance. The DCAP differs from the CAP in that the AE documents on the template the actions the provider must take, with target dates, to correct the non-compliance.

Direct Vendors: Providers of vendor services directly enrolled in PROMISe as Provider Type 55.

Follow-up Monitoring: A monitoring that is conducted in addition to the frequency in ODP's established provider monitoring process.

Follow-up Monitoring Report: A standardized ODP cover letter and ODP Corrective Action Plan template comprise the follow-up monitoring report. The report, developed and submitted by the AE to the provider and ODP, summarizes the information collected during the AE's on-site follow-up monitoring of the provider.

Lead AE: The AE assigned to monitor and qualify a particular provider by ODP. The AE with which the most individuals served by the provider are registered is assigned as the Lead AE. If a provider does not serve any individuals, the assigned Lead AE is the AE where the provider anticipates serving the most individuals.

Master Client Index (MCI) Tracker: An Excel spreadsheet that is utilized to collect and maintain specific data regarding the sample individuals for whom the provider/AE is answering questions for the provider monitoring tool.

On-site Review: The 2nd phase of the provider monitoring process during which the AE visits the provider's corporate office and service locations to validate the provider's submission of the provider monitoring tool completed during the Self-Reporting phase. This review is completed by the AE and the AE's findings regarding the on-site review of the provider are submitted to ODP.

Provider Monitoring Guidelines: A document used by providers and AEs while completing the Provider Monitoring Tool that includes instructions regarding completion of the tool, oversight areas, compliance standards, source documents and suggested remediation actions.

Provider Monitoring Tool: A document used by providers and AEs to assess the provider's compliance with applicable standards and submit results to ODP.

Provider Self-assessment: The results of a provider's completion of the provider monitoring tool to assess itself. The provider self-assessment is the self-review tool that is submitted electronically to ODP during the Provider Self-Reporting phase of the provider monitoring process.

Regional ODP Provider Monitoring Lead: The individual designated as the Lead for Provider Monitoring within a particular ODP Regional Office.

Reviewing AE: An AE, other than the Lead AE, that is responsible for individuals in the provider monitoring sample and conducts on-site reviews of providers who render services to those individuals. The majority of individuals served by the provider(s) who participate in on-site reviews with Reviewing AEs are registered with an alternate AE assigned as the Lead AE by ODP. Reviewing AEs monitor providers serving individuals in geographical locations spanning multiple counties.

Self-Reporting Phase: The 1st phase of the provider monitoring process where each qualified provider conducts a self-assessment of its organization and completes the appropriate monitoring tool to assess its structure and practices which enable the provider to meet compliance with regulations, waiver requirements, Provider Agreement conditions and policies and procedures.

Vendor/Transportation Monitoring Tool: A document used by providers of vendor, transportation and/or homemaker/chore services only and AEs to assess the provider's

compliance with applicable standards related to these services and submit results to ODP.

Vendor/Transportation Monitoring Guidelines: A document used by providers of vendor, transportation and/or homemaker/chore services only and AEs while completing the Vendor/Transportation Monitoring Tool that includes instructions regarding completion of the tool, oversight areas, compliance standards, source documents and suggested remediation actions.

Vendor Claims Tracker: An Excel spreadsheet that is utilized to collect and maintain specific data regarding the sample individuals for whom the provider/AE is answering questions in the Vendor/Transportation Monitoring Tool.

Provider Monitoring Phases

The two phases of the provider monitoring process are: Self-Reporting and On-site Review. The Self-Reporting phase is completed annually by all providers while the On-site Review phase occurs at least once during a two year monitoring cycle for providers based upon ODP's distribution methodology. Providers may be assigned to participate in the On-site Review phase at a frequency of more than once every two years based upon measured performance and compliance with the provider monitoring process and ODP standards. Each phase will be explained in detail in this document under their appropriate sections.

All providers and vendors who were qualified in the previous fiscal year will be included in the Provider Monitoring process regardless of whether or not they have any service authorization during that fiscal year.

If individual health and safety concerns are discovered by the provider during the Self-Reporting phase or by the Lead or Reviewing AE during the On-site Review phase, actions will be taken immediately to assure the welfare of the individual(s). Incidents shall be reported and managed as required by ODP Bulletin #6000-04-01, *Incident Management*, ODP Informational Packet 031-15 Amendments to 55 Pa. Code §6000, ODP Statement of Policy, Subchapter Q as a result of Adult Protective Services and 55 Pa. Code Chapter 51.

The outline below depicts a timeline of the entire provider monitoring process.

Provider Monitoring Process Timeline

By September 15th, ODP provides the provider monitoring distribution of qualified providers (including direct vendors) and individual samples to Lead AEs for the Self-Reporting and On-site Review phases.

By September 30th, Lead AEs notify providers (including direct vendors) of their distribution and individual sample. If a provider is scheduled for an on-site review, the AE will not distribute the back-up alternate individual sample to that provider.

Beginning October 1st, providers (including direct vendors) conduct self-assessment activities using the distribution and sample of individuals established by ODP and released by the Lead AE. If a provider is scheduled for an on-site review and needs a substitution for any of the individuals in their designated sample, they will contact the Lead AE to obtain an alternate Master Client Index number (MCI#).

During the first two weeks of October, Lead AEs will call all assigned providers new to the Self-Reporting phase and provide technical assistance regarding the completion of the self-assessment.

During the third week of November, Lead AEs will follow-up with all assigned providers who have not yet submitted the results of their self-assessments.

By November 30th, providers and direct vendors submit completed self-assessments electronically to ODP with a copy of the self-assessment results also submitted to the Lead AE. Providers will forward to the Lead AE, the confirmation email that they receive upon electronic submission of their self-assessment. This confirmation email contains the submitted results of their self-assessment. If the confirmation email is not received within 48 hours of submission, the provider should email the Provider Monitoring mailbox at ra-odpprovidermonito@pa.gov immediately. Lead AEs will confirm receipt of this submission using a standard email template developed by ODP. Note: Providers shall remediate all non-compliances noted on their self-assessment within 30 days of discovery.

Beginning December 1st, ODP compiles results of provider self-assessment submissions.

By December 7th, Regional ODP Provider Monitoring Leads will notify Lead AEs of non-compliant providers.

By December 14th, Lead AEs will use a standardized email to notify non-compliant providers of their failure to submit a self-assessment to ODP and the requirement to schedule an on-site review.

By December 15th, ODP provides results of provider self-assessments to Lead AEs.

By December 22nd, Lead AEs finalize the sample of individuals that providers (including direct vendors) used for their self-assessments and establish a schedule for on-site reviews.

By December 22nd, Lead AEs notify Reviewing AEs of the established sample of individuals and schedules for on-site reviews with providers (including direct vendors).

Lead AEs will also provide the results of the provider self-assessments to the corresponding Reviewing AEs.

By December 31st, Reviewing AEs schedule on-site reviews with providers (including direct vendors) to coincide with the Lead AE on-site review when possible.

From January 1st through May 15th, Lead AEs and Reviewing AEs conduct on-site reviews.

By May 15th, all on-site reviews conducted by Lead AEs and Reviewing AEs must be completed. Reviewing AEs submit the results of completed on-site reviews within 15 calendar days of the last date of each on-site review and no later than May 31st using the MCI or Vendor Claims Tracker (as applicable). Lead AEs submit AE Review Reports to the provider within 30 calendar days of the last day of the on-site review.

By June 15th, Lead AEs must submit the electronic versions of the Provider Monitoring or Vendor/Transportation Monitoring Tools (as applicable) to ODP for all assigned providers (including direct vendors) who were scheduled for an on-site review. The on-site review submissions for the providers who were non-compliant with the Self-Reporting phase should be completed and submitted at this time as well. ODP uses the data from these submissions for quality management purposes. AEs will receive a confirmation email upon electronic submission of the on-site review results for each submission completed. This confirmation email contains the submitted results of the respective on-site review and should be retained in the AEs' records as verification of the on-site review submission. If the confirmation email is not received within 48 hours of submission, the provider should email the Provider Monitoring mailbox at ra-odpprovidermonito@pa.gov immediately. AEs that fail to complete these submissions for all assigned providers by June 15th will be issued a Directed Corrective Action Plan (DCAP) from ODP.

By July 15th, Lead AEs must submit all AE Review Report submitted to providers with no instances of non-compliance or approved Corrective Action Plans (CAPS) to the Regional ODP Provider Monitoring Lead with copies to the Reviewing AEs.

By July 15th and September 30th, Lead and Reviewing AEs complete and submit the AE Tracker to the Regional ODP Provider Monitoring Lead.

New Providers

A person or entity that wishes to provide Intellectual Disability services through ODP must first complete its initial registration and qualify to provide a service. Once determined qualified, the individual or entity shall review the Provider Monitoring Overview Webcast, this document, the Provider Monitoring or Vendor/Transportation Guidelines for New Providers along with all source documents referenced within the guidelines and review and complete the Provider Monitoring Tool for New Providers or Vendor/Transportation Monitoring Tool for New Providers as applicable. This tool

contains specific measures from the complete monitoring tool which are applicable to a new provider.

Providers new to the ODP service system must complete and submit the Provider Monitoring Tool for New Providers or Vendor/Transportation Monitoring Tool for New Providers (as applicable) along with supporting documentation designated for new providers electronically. This information must be validated and approved prior to PROMISe™ enrollment approval, AE service authorization and service provision.

A person or entity that becomes qualified as a new provider and completes the Provider Monitoring Tool for New Providers or Vendor/Transportation Monitoring Tool for New Providers (as applicable) shall participate in the Self-Reporting and On-site Review phases during the following fiscal year.

New providers are assigned as part of ODP's provider monitoring distribution in the fiscal year following the year that they complete the Provider Monitoring Tool for New Providers. New providers may initially need to be assigned to ODP's distribution for two consecutive years to become aligned with the correct cycle year ongoing.

Phase 1: Self-Reporting Phase

A currently enrolled and qualified provider shall participate in the Self-Reporting phase if enrolled and qualified with ODP in the prior fiscal year.

The Self-Reporting phase is the provider's review of its structure and practices that enable the provider to meet regulations, waiver requirements, Provider Agreement conditions and policies and procedures. This self-assessment assists the provider with measuring its compliance level against ODP standards while also preparing for the next phase of provider monitoring, the On-site Review phase. At the same time, the provider's self-assessment results provide ODP with a baseline to track and trend the statewide compliance of providers across the measures and oversight areas identified in the Provider Monitoring and Vendor/Transportation Monitoring Tools.

Each provider shall participate in the Self-Reporting phase by reviewing the Provider Monitoring webcasts, this document, the Provider Monitoring or Vendor/Transportation Monitoring Guidelines (as applicable) and reviewing and completing the standardized Provider Monitoring Tool or Vendor/Transportation Monitoring Tool (as applicable) based on the services enrolled and qualified for and the distribution of individuals given to the provider by ODP via the Lead AE.

Individuals receiving services by providers that are currently enrolled, qualified and authorized to provide at least one waiver-funded service in the previous fiscal year shall be included in the population from which to identify the distribution of individuals. The individuals chosen in the ODP distribution are identified only by the individuals' Master Client Index (MCI) numbers. ODP shall identify ten individuals out of the total population of individuals served by each provider. These individuals are documented

as receiving waiver services from the provider at the time the sample is pulled. Each provider is required to conduct its self-assessment using the records of the ten individuals initially identified in the distribution list of individuals given by ODP. If a provider renders services to less than ten individuals, all individuals served by the provider shall be included in the distribution for the provider's self-assessment and will represent the population for that provider.

In addition to the initial ten individuals provided in the distribution, ODP also provides an additional five alternate individuals. Providers who are not scheduled to receive an on-site review during the monitoring cycle year will be given all fifteen individuals in their distribution. The provider must use the initial ten individuals as identified by ODP, unless there are extenuating circumstances. The use of an alternative individual is validated by the AE during the scheduled on-site review. When using the alternate sample list, providers should start with the first person on the list and proceed consecutively according to the order that the individuals are listed on the page. Providers who are scheduled to receive an on-site review during the monitoring cycle year will only be given the ten initial individuals in their distribution. In this circumstance, if an alternate individual in the sample is needed, the provider should contact the Lead AE immediately.

If a provider does not have any service authorizations, the provider shall complete all sections of the tool that do not relate to the individual sample.

The Self-Reporting phase shall be implemented based upon the timeline previously described in this document and as follows:

- Beginning July 1, 2011 and annually thereafter, ODP determines the distribution of individuals which will be used during the Self-Reporting and On-site Review phases and provides the distribution sample to the AEs by September 15th.
- Lead AEs will provide this distribution sample of individuals to qualified providers by September 30th.
- ODP will email an electronic link to the primary contact identified by each provider by October 1st that will be utilized to submit the results of the self-assessment.
- Each provider shall conduct its provider self-assessment using the appropriate Provider Monitoring Tool available on the [Provider Information Center \(PIC\)](http://pic.odpconsulting.net/) website (<http://pic.odpconsulting.net/>). In addition, the provider must use the Provider Monitoring or Vendor/Transportation Guidelines (as applicable) and the MCI or Vendor Claims Trackers (as applicable) to ensure that the respective tool is completed accurately and appropriately and must also ensure that all relevant documentation is collected, maintained and made available during the on-site review and upon request by ODP or the AE. The inability of a provider to produce such documentation will be viewed as non-compliance and will result in

a requirement for the provider to submit a CAP, as well as, participate in a scheduled on-site review again during the following fiscal year and can face further enforcement actions by ODP including sanctions, suspension of payment and termination of the waiver provider agreement.

- When a provider must substitute an individual(s) in the sample and is not scheduled for an on-site review, it must choose the MCI # from the top of the alternate sample list and choose subsequent individuals in the order that they appear on the list from top to bottom.
- When a provider must substitute an individual(s) in the sample and is scheduled for an on-site review, the provider must request any substitutions directly from the Lead AE immediately.
- During the first two weeks of the Self-Reporting phase, Lead AEs will call all providers new to the Self-Reporting phase and provide technical assistance regarding completion of their self-assessments.
- Each provider will submit its completed provider self-assessment results electronically to ODP no later than November 30th by utilizing the link provided by ODP. The MCI Tracker or Vendor Claims Tracker and all other relevant documentation utilized to complete the Provider Monitoring Tool or the Vendor/Transportation Monitoring Tool must be maintained by the provider and made available to the AE during the on-site review or upon request by ODP or the AE. The inability of a provider to produce such documentation will be viewed as non-compliance and will result in a requirement for the provider to submit a CAP, as well as, participate in a scheduled on-site review again during the following fiscal year and can face further enforcement actions by ODP including sanctions, suspension of payment and termination of the waiver provider agreement.
- Providers will email the results of their self-assessment to their Lead AE upon electronic submission to ODP by forwarding the confirmation email that they receive. Lead AEs will confirm receipt of this submission using a standard email template developed by ODP. Providers shall remediate all non-compliances noted on their self-assessment within 30 days of discovery. Providers will keep documentation of remediation of all non-compliances and make this documentation available upon request by ODP or the AE.
- Lead AEs will track the completion of provider self-assessments on the AE Tracker. Lead AEs will follow-up with all assigned providers who have not yet submitted the results of their self-assessments during the third week of November.
- ODP and Lead AEs shall review the submitted provider self-assessments for timeliness and completion.

- By December 7th, Regional ODP Provider Monitoring Leads will notify Lead AEs of non-compliant providers.
- By December 14th, Lead AEs will use a standardized email to notify non-compliant providers of their failure to submit a self-assessment to ODP and the requirement to schedule an on-site review.
- ODP shall provide to Lead AEs a copy of the provider's electronic self-assessment submissions by December 15th.
- Lead AEs will provide Reviewing AEs with a copy of the provider's self-assessment submissions as assigned by December 22nd.
- Providers who do not submit a provider self-assessment to ODP by November 30th will be considered in non-compliance with the provider monitoring process and requirements and
 - will be scheduled for an on-site review regardless of the distribution assigned by ODP.
 - will be sanctioned with a minimum 30 day payment suspension and until full compliance is demonstrated if non-compliant with submission deadlines more than once in a five year period after October 1, 2014.
- Lead AEs will review the hard copies of each non-compliant provider's self-assessment to ensure that they are completed in its entirety.
- Lead AEs will provide the Regional ODP Provider Monitoring Leads and Reviewing AEs with fully completed hard copies of provider self-assessments that are submitted late upon receipt.
- Providers that fail to maintain and provide a copy of the MCI or Vendor Claims Trackers and any other relevant documentation, completed as a result of their Self-Assessment, to the Lead AE during the on-site review will be assigned to be monitored through another on-site review during the following fiscal year and can face further disciplinary actions by ODP including sanctions, suspension of payment and termination of the waiver provider agreement.

The flow chart on the following page depicts the implementation of the Self-Reporting phase:

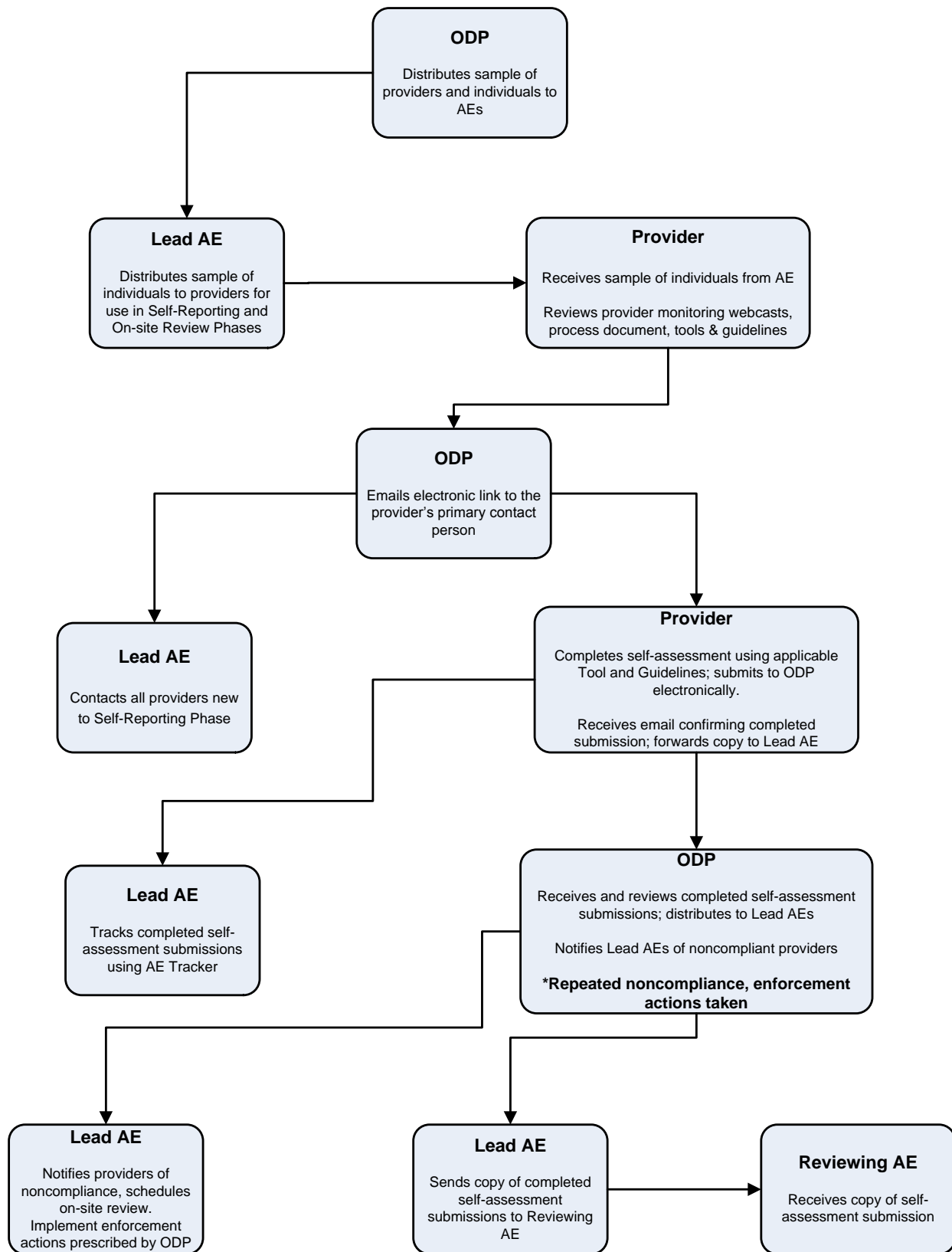


Fig 1: Provider Self-Reporting Phase Flow

Phase 2: On-site Review

The on-site review conducted by the AE during the On-site Review phase is a validation of the provider's submitted self-assessment. Providers are selected for this on-site review based on the ODP distribution of providers. A provider will be selected to be monitored during the On-site Review phase at least once during a two year monitoring cycle if they are currently enrolled and qualified with ODP, as well as, enrolled and qualified with ODP in the previous fiscal year.

Every provider shall be selected to participate in an on-site review at least once during a two year cycle and more frequently when deemed necessary by ODP. By September 15th, ODP assigns each provider to one of two groups – monitoring group 1 or monitoring group 2. Providers who have a Master Provider Index (MPI) number where the last digit is an odd number will be monitored in Year 1 of the cycle and will be a part of monitoring group 1. Providers who have a MPI number where the last digit is an even number will be monitored in Year 2 of the cycle and will be part of monitoring group 2. After a new provider participates in the initial on-site review, that provider will be assigned to monitoring group 1 or group 2. ODP may reassign a provider's monitoring group based on the volume of new providers that become enrolled during a given year or based on the provider's compliance with the Self-Reporting or On-site Review phases of provider monitoring. If ODP determines it must reassign a provider to an alternative monitoring group mid-cycle, ODP shall notify the provider and the AE of this reassignment. This reassignment may result in a provider's selection for an on-site review to occur annually instead of biennially for the transition year.

If a provider is scheduled for an on-site review and requires a substitution(s) for the sample of individuals, they will request the alternate individual MCI # from the Lead AE immediately. The Lead AE will provide the alternate MCI # to the provider by choosing MCI #(s) from the top of the provider's alternate sample list in the order that they appear from top to bottom.

If an individual's name is used in the sample during a provider's Self-Reporting phase but is no longer served by the provider during the on-site review, the individual will not be included in the sample for the on-site review and a substitution will not be required.

AEs and providers shall cooperate to identify two or three possible dates for the on-site reviews to occur, as it may be necessary to cancel a scheduled date due to unforeseen circumstances. All on-site reviews must be scheduled at least 15 days in advance of the on-site visit, unless otherwise mutually agreed upon by both the provider and AE. Reviewing AEs will work with the assigned provider(s) to schedule the date of their on-site review to coincide with the Lead AE on-site review schedule whenever possible.

Lead AEs finalize the sample of individuals and establish a schedule for on-site reviews with providers by December 22nd. Lead AEs notify Reviewing AEs of the

established sample of individuals and schedules for on-site reviews with providers by December 22nd. Lead AEs will also provide Reviewing AEs with their assigned providers' self-assessment by December 22nd. Reviewing AEs schedule on-site reviews with assigned providers to coincide with Lead AE schedules by December 31st.

The on-site reviews shall be conducted by AEs between January 1st and May 15th. The on-site review of the provider is conducted by the AE using the standardized provider monitoring tool developed by ODP that examines standards and measures of compliance derived from the waiver requirements and regulations, Provider Agreement and ODP written policies and procedures. ODP recommends the AE complete a monitoring tool on paper during the visit to the provider, and then complete and submit the electronic version of the Provider Monitoring Tool or Vendor/Transportation Monitoring Tool (as applicable) once the Lead AE has received all documents from the Reviewing AE(s). A monitoring tool should not be completed and submitted without all of the responses to all of the questions by both the Lead and Reviewing AEs. In addition, all AEs should utilize the Provider Monitoring or Vendor/Transportation Monitoring Guidelines (as applicable) and the MCI or Vendor Claims Trackers to ensure that the tool is completed accurately and appropriately and that relevant documentation is collected and maintained.

The AE compares the results of the provider self-assessment with the findings of the on-site review and addresses any discrepancies through discussion with the provider to include reviewing the guidelines and providing technical assistance based on source documents. Any non-compliance will be communicated to the provider in writing through the issuance of the AE Review Report.

If an AE determines the need to review additional records during an on-site review, the AE must first receive prior approval from the Regional ODP Provider Monitoring Lead. Once approval is granted, the AE may include the additional five alternative individuals' records in the on-site review.

AEs will notify Lead AEs and ODP immediately if a provider refuses to allow an AE to schedule or cooperate with the completion of an on-site review. Providers who refuse to participate with the ODP provider monitoring On-site Review phase will be sanctioned by ODP.

After the on-site review, the Lead AE shall prepare an AE Review Report using the ODP standardized cover letter and CAP template which summarizes the information and findings collected by the Lead and Reviewing AEs during the on-site review. The Lead AE will issue the AE Review Report to the provider within 30 days of the last day of the on-site review.

In instances where a provider renders services for multiple AEs, the on-site review is conducted by the Lead AE, along with Reviewing AEs conducting on-site reviews for those individuals in the sample registered with them. A Lead AE is designated by ODP based on the AE with which the most individuals served by the provider are registered. ODP shall reassess the designation of the Lead AE or Reviewing AEs at the beginning of each monitoring cycle.

The On-site Review phase is completed differently depending on whether it involves the On-site Review of a provider that renders services in only one county or in multiple counties.

On-site Review of a Single County Provider:

The On-site Review phase for providers that render services in only one county shall be implemented as follows:

- ODP provides the distribution of providers scheduled for an on-site review and the corresponding sample of individuals for the on-site review to the Lead AE by September 15th each year. ODP also identifies the Lead and Reviewing AEs for each provider.
- Between September 15th and December 22nd, the Lead AE notifies the provider of its selection in the distribution, finalizes the individual sample of the provider, and schedules possible dates for the on-site review to occur.
- The Lead AE and provider shall coordinate the on-site review date(s) together and cooperate to allow each entity an appropriate amount of time to conduct the on-site review activities.
- The Lead AE will notify the Regional ODP Provider Monitoring Lead immediately when a provider:
 - fails to cooperate with the Lead AE in scheduling the on-site review by December 31st;
 - cancels a scheduled on-site review without rescheduling an alternate date within 2 weeks; and/or
 - refuses to cooperate with or participate in any required aspect of the provider monitoring process.
- A provider that refuses to schedule or participate in the on-site review will be issued a standardized DCAP from ODP. Providers who do not participate in the On-site Review phase within the target dates issued on the DCAP will be sanctioned with a 30 day suspension of payment. The suspension of payment will last a minimum of 30 days and until the provider complies with the DCAP issued by ODP.

- The Lead AE shall conduct its on-site review of the provider by May 15th. The Lead AE shall conduct the on-site review by completing the Provider Monitoring Tool, utilizing the Provider Monitoring Guidelines to ensure compliance set forth by ODP. If the provider renders vendor, transportation or homemaker/chore services only, the Lead AE will utilize the Transportation/Vendor Tool and the Vendor/Transportation Monitoring Guidelines to complete the On-site Review. The Lead AE will also complete the MCI Tracker (or the Vendor Claims Tracker) in order to collect and maintain specific information regarding the individual sample. The Lead AE conducts the on-site review at the provider's corporate location by visiting the provider's service locations where individuals who are registered with the Lead AE receive waiver services.
- The Lead AE will issue the AE Review Report to the provider within 30 days of the last day of the on-site review.
- The Lead AE submits the electronic version of the Provider Monitoring Tool or the Vendor/Transportation Monitoring Tool to ODP based on its on-site review of the provider. All electronic submissions of the appropriate monitoring tool must be received by June 15th. ODP uses the data from these submissions for quality management purposes. AEs that fail to complete these submissions for all assigned providers will be issued a DCAP from ODP.

AE On-site review of a Multi-County Provider:

The On-site Review phase for providers that render services in multiple counties shall be implemented as follows:

- ODP provides the distribution of providers scheduled for an on-site review and the sample of individuals for the on-site review to the Lead AE by September 15th each year. ODP also identifies the potential Reviewing AEs for the Lead AE.
- The Lead AE is responsible to provide the distribution list and individual sample to its assigned providers by September 30th. Lead AEs finalize the sample of individuals and establish a schedule for on-site reviews with providers by December 22nd.
- If substitutions to the sample of individuals are necessary, AEs should start with the first person on the list and proceed consecutively according to the order that the individuals are listed on the sample page.
- Lead AEs notify Reviewing AEs of the established sample of individuals and schedule on-site reviews with providers by December 22nd. Lead AEs will also provide Reviewing AEs with their assigned providers' self-assessments by December 22nd. Reviewing AEs schedule on-site reviews with assigned providers by December 31st to coincide with Lead AE on-site review schedules whenever possible.

- The Lead and Reviewing AEs and provider shall coordinate the on-site review date(s) together and cooperate to allow each entity an appropriate amount of time to conduct the on-site review activities.
- The Reviewing AE and Lead AE will notify the Regional ODP Provider Monitoring Lead immediately when a provider:
 - fails to cooperate with the Lead or Reviewing AE in scheduling the on-site review by December 31st;
 - cancels a scheduled on-site review without rescheduling an alternate date within 2 weeks; and/or
 - refuses to cooperate with or participate in any required aspect of the provider monitoring process.
- A provider that refuses to schedule or participate with the ODP Provider Monitoring On-site Review Phase will be sanctioned by ODP. Providers who do not participate in the On-site Review phase within the target dates issued on the DCAP will be sanctioned with a 30 day suspension of payment. The suspension of payment will last a minimum of 30 days and until the provider complies with the DCAP issued by ODP.
- The Reviewing AE conducts an on-site review of the provider using its assigned sample of individuals. The Reviewing AE is responsible to complete and coordinate the on-site review in cooperation with other designated Reviewing AEs and the Lead AE.
- Each Lead and Reviewing AE shall conduct its on-site review by completing the Provider Monitoring Tool, utilizing the Provider Monitoring Guidelines to ensure compliance set forth by ODP. If the provider renders vendor, transportation or homemaker/chore services only, the Lead and Reviewing AE will utilize the Transportation/Vendor Tool and the Vendor/Transportation Monitoring Guidelines to complete the On-site Review. On-site reviews are conducted at the provider's corporate location and service locations where individuals in the sample who are registered with the Lead or Reviewing AE receive waiver services.
- Lead AEs shall complete the entire Provider Monitoring Tool or Vendor/Transportation Monitoring Tool (as applicable) and the MCI or Vendor Claims Tracker (as applicable), while Reviewing AEs shall only complete the MCI Tracker or Vendor Claims Tracker which relates to their assigned sample of individuals. Both Lead and Reviewing AEs should utilize the Provider Monitoring Guidelines or the Vendor/Transportation Monitoring Guidelines to ensure accurate completion of the tools.
- Lead and Reviewing AEs shall conduct on-site reviews of all assigned providers by May 15th. Reviewing AEs will submit the provider monitoring results

electronically, using the MCI Tracker or Vendor Claims Tracker, to the Lead AE within 15 days of the last day of its on-site review and no later than May 31st.

- The Reviewing AE will email the completed MCI Tracker or Vendor Claims Tracker to the Lead AE within 15 days of the last day of its on-site review of a provider and maintain a copy of the sent email.
- The Lead AE will compile the results of the on-site review and issue the AE Review Report to the provider within 30 days of the last day of the on-site review. The Lead AE will copy the Reviewing AEs on the AE Review Report.
- The Lead AE submits the electronic version of the Provider Monitoring Tool and Vendor/Transportation Monitoring Tool to ODP based on its on-site review of the provider(s) as well as all providers who were noncompliant with the Self-Reporting Phase. All electronic submissions of the Provider Monitoring and Vendor/Transportation Monitoring Tools must be submitted to ODP by June 15th. ODP utilizes the data from these submissions for quality management purposes. AEs that fail to complete these submissions for all assigned providers will be issued a DCAP from ODP.
- Lead AEs and Reviewing AEs shall maintain MCI Trackers or Vendor Claims Trackers for their records and submit to ODP upon request.

Corrective Action Plans and Validation

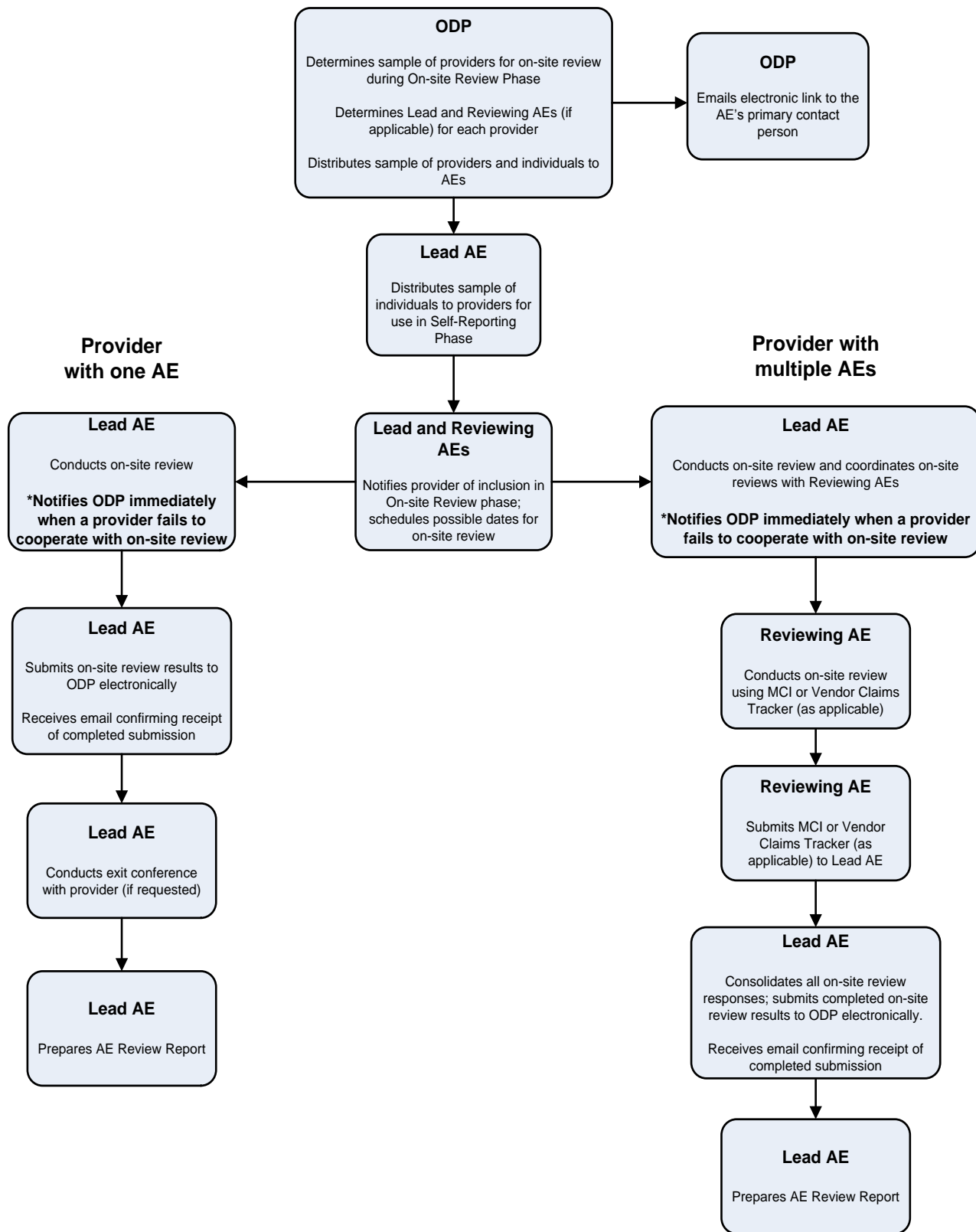
- The Lead AE prepares the AE Review Report which is comprised of a standardized cover letter and the ODP CAP form with findings. The Lead AE fills out the relevant fields on the CAP form as part of the AE Review Report. For each instance of non-compliance the Lead AE will note a score. If the Lead AE finds the compliance score reflects a score of 86% or higher for a particular finding of non-compliance, the AE will mark N/A in the corresponding column designated for the “corrective action to identify & prevent recurrence of non-compliance.” If the AE finds that the compliance score falls below 86% or there are two or more instances of non-compliance when 9 or fewer records were reviewed, an improvement plan is required and the “corrective action to identify & prevent recurrence of non-compliance” is left blank.
- The Lead AE submits the AE Review Report to the provider, with a copy to the Reviewing AE(s) within 30 calendar days of the on-site review completion date, and directs the provider to develop a CAP, if necessary. If no CAP is required, the Lead AE shall issue the CAP form template along with the standardized cover letter to the provider and shall copy the ODP Regional Provider Monitoring Lead. On the CAP template, the Lead AE should select “No Corrective Action Plan Required” at the top of the form and in the first row under the “Specific findings of Non-compliance” column; the Lead AE will enter the following: “No findings during this review.” If a CAP is required, the Lead AE should not submit

the CAP to their ODP Regional Provider Monitoring Lead until the AE has approved the CAP.

- Upon receipt of the AE Review Report, the provider shall review the results. A response is not required from the provider if there are no areas of non-compliance. If the AE Review Report includes a statement of non-compliance, the provider must complete and submit a CAP to the Lead AE within 15 calendar days of receipt of the AE Review Report. The provider may request an exit interview with the Lead AE by phone or in person.
- Providers will document, on the CAP form, the “corrective action for each specific instance of non-compliance” identified by the Lead AE. The target dates for “corrective action for specific instance of non-compliance” must be within 30 days of the date of the AE Review Report. If the provider is unable to complete such remediation within 30 days, the expected target date will be noted on the CAP form and the reason that the corrective action could not be implemented within 30 days. If the corrective action has already been completed prior to the submission of the CAP, the date of completion should be entered into the Completed Date column(s) and the provider should submit documentation to the AE as confirmation.
- Providers will document on the CAP form, the “corrective action to identify and prevent recurrence of non-compliance” whenever the compliance score is less than 86% or when there are two or more instances of non-compliance when 9 or fewer records were reviewed. The target dates for “corrective action to identify and prevent recurrence of non-compliance” must be within 30 days of the date of the AE Review Report. If the provider is unable to complete such correction within 30 days, the expected target date will be noted on the CAP form and the reason that the corrective action could not be implemented within 30 days. If the corrective action has already been completed prior to the submission of the CAP, the date of completion should be entered into the Completed Date column(s) and the provider should submit documentation to the AE as confirmation. For on-going, recurring activities, the providers should indicate the anticipated start date and frequency.
- If the provider does not submit the CAP to the Lead AE within 15 calendar days of the AE Review Report, the Lead AE shall notify and collaborate with ODP on the development of a DCAP, submit the DCAP to ODP for review and approval and issue the DCAP to the provider after ODP approval is obtained. The Lead AE will issue a DCAP within 10 calendar days of the deadline date of the CAP.
- If the provider does not respond to a DCAP within 15 calendar days, the Lead AE will notify ODP immediately. Failure to comply with a DCAP may lead to further action and/or sanctions.

- Once the CAP is received back from the provider, the Lead AE will review the CAP. Within 15 calendar days, the Lead AE will either approve the CAP or request further clarification and/or corrections. The Lead AE will provide technical assistance to the provider regarding the CAP process and the development of the CAP. If further clarification/corrections are required, the Lead AE will send the CAP along with a detailed email providing specific concerns and information to the provider within 15 calendar days. The provider must then submit a revised CAP back to the Lead AE within 15 calendar days of receipt. If the revised CAP is still not approved by the Lead AE, the Lead AE shall notify and collaborate with ODP to develop the DCAP which will be issued to the provider within 10 calendar days.
- The Lead AE will copy the ODP Regional Provider Monitoring Lead on all CAP approvals submitted to providers and Reviewing AEs. All approved CAPs must be submitted to providers, Reviewing AEs and ODP by July 15th.
- The provider will submit validation documentation to the Lead AE once the CAP or DCAP is fully implemented within the latest approved CAP target dates. The Lead AE shall share this documentation with Reviewing AEs as appropriate.
- The Lead AE will note the validation of “corrective action for specific instances of non-compliance” and “corrective action to identify & prevent recurrence of non-compliance” on the CAP form once the documentation is received. The Lead and/or Reviewing AE will conduct on-site visits within 90 days of the latest approved CAP target dates if validation documentation is not submitted by the provider and technical assistance is needed. Reviewing AEs involved in validation activities will submit validating documentation or written confirmation of validation to the Lead AE.
- The Lead AE will immediately notify ODP if it is found that the provider has not fully implemented a CAP or DCAP during on-site validation visit(s). ODP may sanction a provider or terminate its waiver provider agreement due to a failure to implement an approved CAP or DCAP.
- The Lead AE will compile and submit provider monitoring data for designated questions on the provider monitoring tool as required by ODP for quality management purposes through the submission of the AE Tracker on July 15th and September 30th.
- ODP shall review the submitted materials and provide direction to the Lead AE, as applicable, in regards to further actions required by the provider, the Lead and Reviewing AEs. If errors are discovered, ODP may direct the Lead AE to re-issue the AE Review Report.

The flow charts on the following pages depicts the implementation of the On-site Review phase:



Continued...

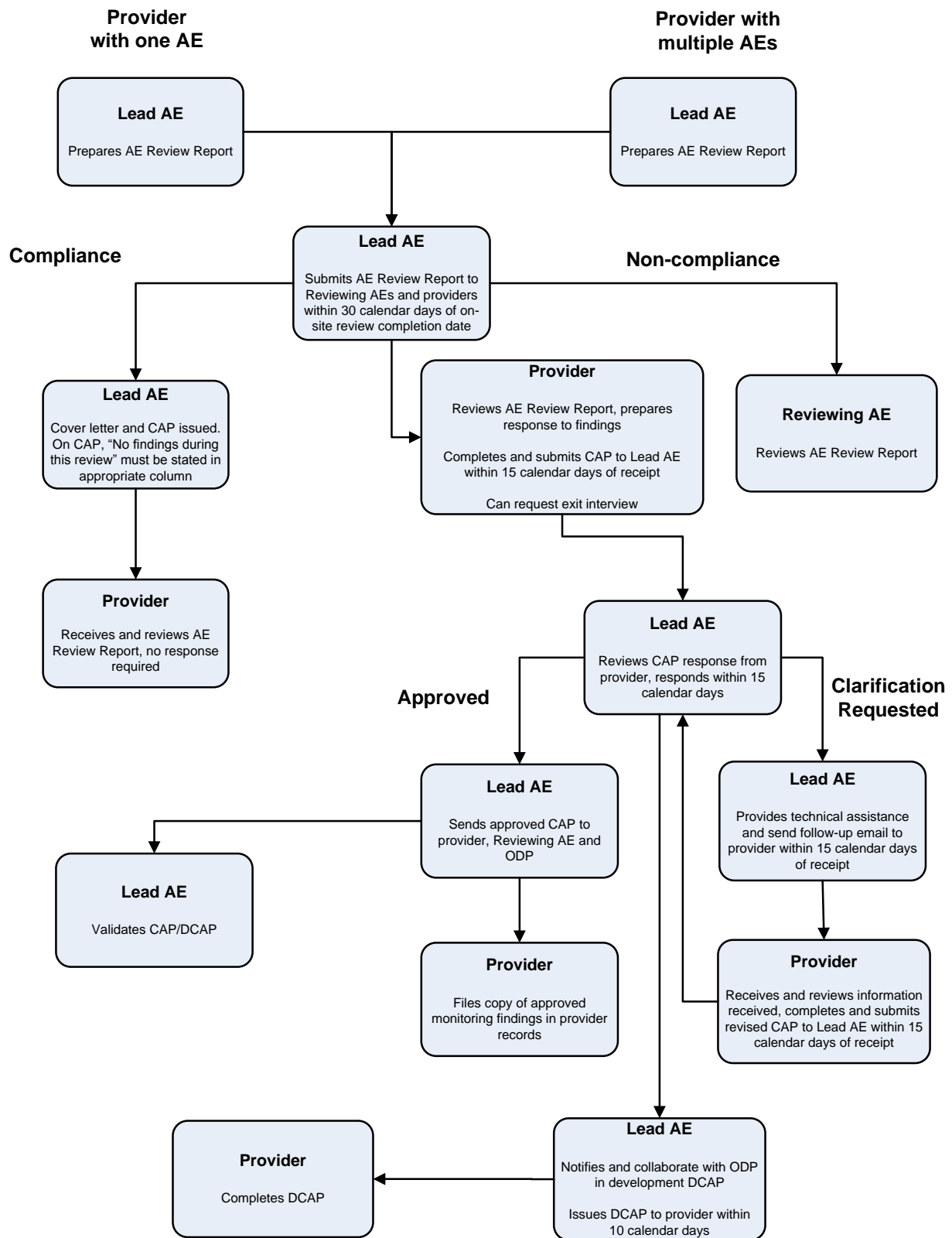


Fig 2: On-site Review Phase Flow

ODP Directed Follow-up Provider Monitoring Process

ODP may, in some cases, determine that a Lead and/or Reviewing AE should conduct follow-up provider monitoring in order to ensure provider compliance with ODP policies and procedures, 55 Pa. Code Chapter 51 regulations, Consolidated and P/FDS Waivers, federal and state requirements and the current *Provider Agreement for Participation in Pennsylvania's Consolidated and P/FDS Waivers* (Provider Agreement) or any approved revisions.

ODP may direct an AE to conduct follow-up provider monitoring for issues that include non-compliance or suspected non-compliance in the following areas:

- Consolidated and Person Family Directed Support (P/FDS) Waiver standards;
- ODP Waiver Provider Agreement standards
- ODP Bulletins, Policies and Procedures
- Federal and State laws and regulations.

This list is not meant to be all-inclusive. ODP reserves the right to direct the completion of a follow-up provider monitoring as deemed warranted.

ODP may determine that it is necessary to conduct an unscheduled follow-up monitoring of a provider to ensure the health and safety of individuals and assure compliance with ODP policies and procedures. If such monitoring reveals that there is a clear and imminent threat to the health and welfare of an individual(s), the AE shall take immediate steps to ensure the health and safety of him/her/them and contact the regional ODP office. Based upon circumstances, the AE shall proceed according to the ODP Bulletin #6000-04-01, *Incident Management*, ODP Informational Packet 031-15 Amendments to 55 Pa. Code §6000, ODP Statement of Policy, Subchapter Q as a result of Adult Protective Services and 55 Pa. Code Chapter 51 as determined appropriate by the regional ODP. ODP may choose to attend an unscheduled on-site monitoring visit conducted by the AE.

The AE is not required to complete the full on-site monitoring tool when conducting a follow-up monitoring. The AE may choose what portions of the monitoring tool are applicable, unless portions of the tool were specified by the regional ODP to be completed. The AE shall conduct its follow-up monitoring by completing the Provider Monitoring Tool or Vendor/Transportation Monitoring Tool (as applicable) in paper format, as well as utilizing the Provider Monitoring or Vendor/Transportation Monitoring Guidelines (as applicable) and MCI or Vendor/Claims Tracker (as applicable).

ODP shall provide technical assistance and guidance to the AE and provider as requested and as determined necessary to support all provider monitoring activities. ODP may request that the AE conduct a follow-up monitoring of the provider which may include an unscheduled on-site monitoring visit or ODP may conduct its own follow-up monitoring.

Subsequent to an ODP directed follow-up provider monitoring, the AE shall:

- Take steps to ensure the health and welfare of individuals at all times and proceed as directed by ODP.
- Confer with ODP regarding the results of the monitoring and follow ODP instructions.
- Utilize and complete the applicable Monitoring Tool.

Submit a Follow-up Monitoring Report to the provider for review within 30 calendar days following the on-site follow-up monitoring.

If the Follow-up Monitoring Report includes a statement of non-compliances, the provider must complete and submit a CAP to the AE who issued the Follow-up Monitoring Report within 15 calendar days of receipt of the Follow-up Monitoring Report.

- Require any appropriate response or action from the provider such as a CAP or implementation of a DCAP.
- Submit the Follow-up Monitoring Report and provider's dispute or response (if applicable) to the appropriate regional ODP for review within 60 calendar days of the follow-up monitoring date(s).
- Submit the approved CAP related to a follow-up monitoring to the appropriate regional ODP.

Follow-up Status:

ODP and the AE may place a provider in follow-up status when a provider fails to submit an acceptable CAP or implement a DCAP or fails to meet required timelines. Under follow-up status, ODP and the AE may require additional actions from the provider, including but not limited to:

- Attendance and participation in enhanced training and technical assistance.
- Implementation of a DCAP.

The AE may:

- Issue a DCAP with prior approval from ODP for the provider to implement.
- Review the provider's qualifications.
- Recommend to ODP, the provider be subject to on-site review more often than once every two years.
- Recommend to ODP, sanctions or restrictions of the provider.

ODP may also:

- Require the provider to participate in the On-site Review phase more than once every two years.
- Require the provider to participate in training.
- Refer the provider to the appropriate licensing unit for further review.
- Implement sanctions as outlined in 55 Pa. Code Chapter 51.153:
 - Withhold or disallow all or a portion of future payments.
 - Suspend payment or future payment pending compliance.
 - Recoup payments for services the provider cannot verify as being provided in the amount, duration and frequency billed.
 - Dis-enroll specific provider service specialties.
 - Terminate the ODP Provider Agreement with the provider.
 - Other actions or sanctions as deemed necessary by ODP.