



Community Behavioral Health

A DIVISION OF DBHIDS | CBHPHILLY.ORG

CBH Compliance Forum 2020



City of
Philadelphia



Welcome to both our
providers and to our new
CBH CEO – Dr. Faith Dyson-
Washington!



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What a Year It's Been!





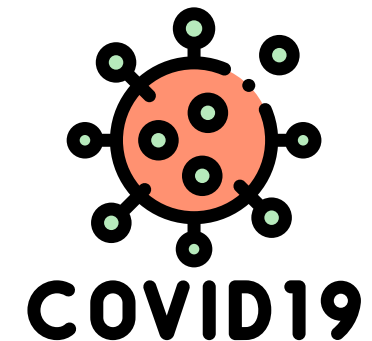
Thank you to our providers for
displaying remarkable flexibility and
adaptability to ensure that CBH
members received needed services
in 2020!!



The COVID Response – CBH Compliance

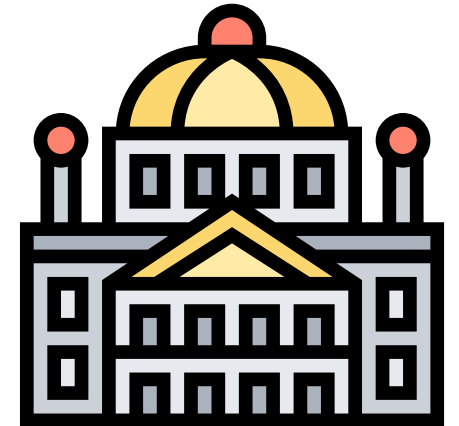
CBH Compliance shifted priorities in early 2020 in response to the COVID-19 related emergency declaration. Some key changes or actions included:

- Suspension of most typical auditing activity
- Suspension of overpayment recoveries while Alternative Payment Arrangements (APA) were in place
- Providing guidance to CBH staff, members and providers on changing rules, regulations, and emerging fraud schemes
- Assisting in APA implementation and monitoring
- Completion of work already in-house
- Re-tooling of policies and procedures
- Investigation and implementation of changes to streamline compliance functions



The COVID response – Commonwealth and Federal response

- Extension of many deadlines (staff credentialing requirements, treatment planning, etc)
- Easing at Federal and Commonwealth levels of restrictions and limitations on use of telehealth
- Related to telehealth, suspension of most HIPAA related enforcements by OCR
- CMS extensions on some reporting requirements
- CMS policy waivers for many healthcare settings
- EUAs widened (and then rolled back in some cases) for lab testing
- Easing of limitations, at Federal level, of some place of service restrictions




https://www.dhs.pa.gov/coronavirus/Documents/OMHSAS%20PHE%20Regulations%20Suspension%20Chart%20-%20Update%2010.22.20.pdf

OMHSAS PHE Regulations Suspension X

https://www.dhs.pa.gov/coronavirus/Documents/OMHSAS PHE Regulations Suspension Chart - Update 10.22.20.pdf

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 **pennsylvania**
DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

OMHSAS – COVID-19 Public Health Emergency Suspended Regulations List

Published: 10/22/2020

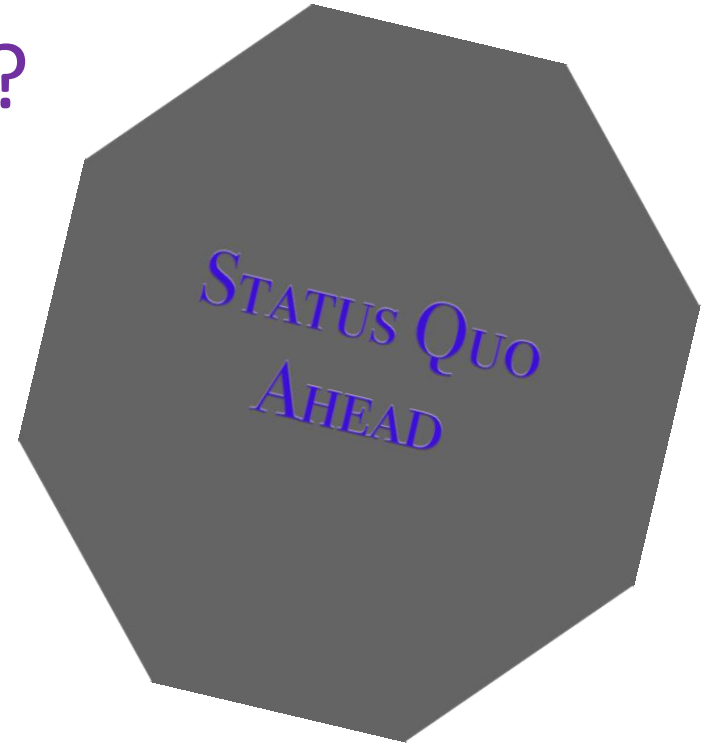
**The regulatory suspensions included in this chart are valid from March 6, 2020, and will remain in place while the Disaster Proclamation related to COVID-19 remains in effect or such other time as DHS/OMHSAS directs.*

Regulation Suspended	Regulation's Purpose	Scope of Suspension
Inpatient Psychiatric Services		
55 Pa. Code 1151.65. Plan of Care.	(a) Before authorization for payment for care provided to a recipient 21 years of age or older, the attending or staff physician shall establish, and include in the recipient's medical record, an individual written plan of care.	Limited Suspension: A certified registered nurse practitioner or a physician assistant may substitute for the physician to perform this function, provided it is within their scope of practice.
Outpatient Psychiatric Services		
55 Pa. Code 1153.14 Non-covered Services	Payment will not be made for the following types of services regardless of where or to whom they are provided: (1) A covered psychiatric outpatient clinic, MMHT or partial hospitalization outpatient service conducted over the telephone.	Limited Suspension: Services may be delivered via telehealth if clinically appropriate to do so. Telephone may be used if video technology is not available.

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What has not changed?

- ✓ Fraudsters are still out there
- ✓ Accurate claims must still be submitted
- ✓ Staff Credentialing continues
- ✓ Hotlines and reporting requirements continue
- ✓ Exclusion list checks must be completed
- ✓ Compliance programs are more important than ever!

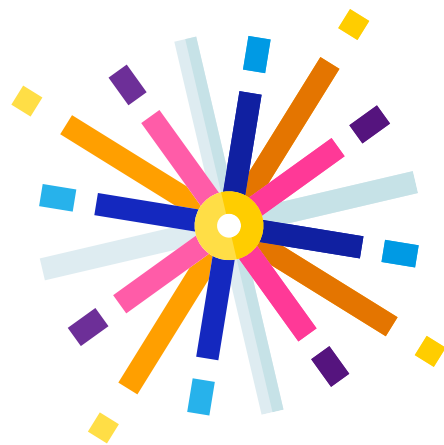




Common COVID related schemes

- Variations on old themes are being seen
- The current level of anxiety and changes to normal working processes present an opportunity for fraudsters
- Some common schemes that are being reported include:
 - "Snake Oil" Sales
 - Fake or unproven/unlicensed lab schemes
 - Phishing using spoofed government contacts
 - Fake/expired DME/supplies/medications
 - Corporate fraud (ghost employees/vendors, etc)

2021





What's in store for 2021?

- Our 2021 Workplan
- CBH Compliance Workplan typically uses HHS OIG Workplan for base
- Some areas that are anticipated to be on the workplan:
 - COVID/APA Monitoring
 - Review of telehealth usage/efficacy
 - Effective use of funding for substance use treatment
 - Continue work on transition from FFS to VBP
 - Increase effectiveness - data mining and business rules

How Can Providers Prepare or Assist?



- ✓ Look out for & respond to communications from Compliance
- ✓ Review Compliance Plans for new or expanded areas of vulnerability
- ✓ Plan for response to audit/information requests while adhering to CDC guidance
- ✓ Review and plan for self-auditing in 2021
- ✓ Prepare and validate data on outcomes particularly related to telehealth and VBP
- ✓ Consider FWA related training needs
- ✓ Review staff credentialing requirements and plan for meeting necessary steps

What's Happening Today!

Three sessions today:

Independent Practitioner Guidelines with Alva & Emily

Compliance 102 with Lauren & Leann

Rat-Stats & Sampling – The Teen Years with Matt & Ken

Our 2020 Quotes of the Year:

- "Make sure you are muted" & "Ask questions in the chat"





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Photo Credit: Ken Inness