



VENTURA COUNTY
HEALTH CARE PLAN

Ventura County Health Care Plan

Sponsored by the
County of Ventura

Provider Operations Manual

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Provider Operations Manual

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Ventura County Health Care Plan Provider Operations Manual

Section 1 - Introduction

About the Ventura County Health Care Plan (VCHCP)

Welcome to VCHCP

Thank you for your interest and participation in the Ventura County Health Care Plan.

The Ventura County Health Care Plan (VCHCP) was formed in November 1993 under a California state law that then allowed a public entity to operate a health care plan without being licensed by the State if the plan provided healthcare services only to its employees, retirees, and their dependents. In 1994, VCHCP's first full year of operation, total enrollment in the plan grew to just under 2,000 members.

On June 7, 1996, the Department of Corporations (now known as the "Department of Managed Health Care") issued a "full service" Knox-Keene health plan license to VCHCP. The license permitted the Plan to enroll members within the geographic boundaries of the County of Ventura, an area of 1,873 square miles, including 43 miles of coastline.

At present, VCHCP has two lines of business, commercial and State-sponsored. Commercial products include large group and small group benefit plans. State-sponsored programs include the Access to Infants and Mothers (AIM) program. In addition, the Plan offers a Medicare Coordination of Benefits (COB) plan to Medicare-eligible County retirees.

Services are provided to members by a combined network of providers consisting of the Ventura County Medical Center (VCMC) and ambulatory care system, and contracted community hospitals and physician providers. The Plan prefers that, to whatever extent possible, its members receive their services from the Ventura County healthcare system. Tertiary care services, including transplant services, are made available by the Plan through several southern California healthcare institutions.

Purpose of the Operations Manual

This Provider Manual is intended as a communication tool and reference guide for *Ventura County Health Care Plan (VCHCP)* providers and their office staff. It contains basic information about how to work with VCHCP, how to refer members to specific services, and explains our plan policies and billing procedures to help VCHCP network providers understand their responsibilities. This update replaces in its entirety any previous version of the *Ventura County Health Care Plan Physician Operations Manual*.

This Operations Manual is also used to ensure that VCHCP providers have access to needed information to ensure members enrolled in our benefit plans receive appropriate covered services when needed. VCHCP benefit plans are underwritten by the County of Ventura and are regulated by the California Department of Managed Health Care (DMHC) and the Managed Risk Medical Insurance Board (MRMIB).

The information in this manual applies to providers who have signed an agreement with VCHCP to participate as a network facility. The term "provider manual" in the agreement refers specifically to this *Operations* manual.

These guidelines describe general policies and procedures. Please refer to your agreement for specific terms and conditions.

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Operations Manual Orders and Updates

The Physician Operations Manual will be updated and distributed to all participating practitioners annually via the individual provider's preferred method of contact (mail, fax or e-mail). Any updates throughout the year will be distributed through a provider newsletter and/or through the website at www.vchealthcareplan.org. The Plan uses the individual provider's preferred method of contact (mail, fax or e-mail) to notify practitioners that new or updated information is available. Printed materials are available to providers upon request.

In the event of a conflict or inconsistency between federal and state regulatory requirements and this manual, the provisions of the regulatory requirements prevail.

Any additional information or details about any of VCHCP policies and procedures can be obtained by calling Member/Provider Services at (805) 981-5050 or (800) 600-8247, via email at VCHCP.ProviderServices@Ventura.org or by accessing the provider website at www.vchealthcareplan.org.

For your convenience, we have made this manual available to you online at Provider Connection, VCHCP's provider website. To access Provider Connection, go to www.vchealthcareplan.org. More detailed information about Provider Connection can be found in the following section. If you wish to order additional printed copies of this manual, please contact Member/Provider Services at (805) 981-5050 or toll free at (800) 600-8247.

Provider Connection

“Provider Connection” is your online resource for quick and convenient information on our medical policies and procedures, member benefits and eligibility, and more. It gives you access at any time to:

- View provider network updates
- Get the most current information on new technology and procedures approved for coverage.
- Review our Benefit Guidelines for current coverage information
- Access disclosure information mandated by the AB1455 Regulations
- Review Preventive Health Guidelines based upon the recommendations of the U.S. Preventive Services Task Force Guide to Clinical Preventive Services
- Review our Clinical Practice Guidelines (including Diabetes, Asthma, and Preventive Health Guidelines); located in the Medical Policies section, under Quality Assurance
- Provider Dispute Resolution Notice and Request Form
- Group Practice or Individual Provider Update Process and Request Form
- Provider Services Guide

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- An electronic copy of this Physician Operations Manual (in PDF format)

To have a copy of any of the above mentioned guidelines or policies mailed to you, please contact Member/Provider Services at (805) 981-5050 or (800) 600-8247.

How to Access Provider Connection

To access Provider Connection, go to www.vchealthcareplan.org and click on "Provider Connection" on the left hand menu.

Dedicated Provider Services Team

We have a new dedicated Provider Services Team that is designed to support our provider community. Please reach out to us at the phone number or email address listed below if you need assistance with a general question or the following:

- Updating Provider Office Information
 - Adding / Terminating a provider or location
 - Open / Close to new members
 - Contact information
 - Address change
 - Tax ID / NPI change
- Provider Disputes
- Provider Materials

Provider Services: (805) 981-5050 or Email at: VCHCP.ProviderServices@Ventura.org

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Key Health Plan Contacts

General Plan Address:

Ventura County Health Care Plan
2220 Gonzales Road, Suite 210-B
Oxnard, CA 93036

Website: www.vchealthcareplan.org

Plan Administration:

Dee Pupa
(805) 981-5006*

Medical Director:

Catherine Rajala Sanders, M.D.
(805) 981-5024*

Director of Health Services:

Faustine Dela Cruz
(805) 981-5058*

Utilization Management:

Faustine Dela Cruz
(805) 981-5058*

Services Administrator:

Cathy Glueckert
(805) 981-5039*

***Collect calls will be accepted**

Member Services:

Christina Turner
(805) 981-5086

Provider Services:

Jackie Grissom
(805) 981-5121

General Phone Number

(805) 981-5050 or (800) 600-8247
For General Inquiries and access to
UM staff during normal business hours.

Claims Processing:

Michelle Myricks, Supervisor
(805) 981-5037*

'After-Hours' Contact Information:

24 hour Administrator access is
available through Alert Communications
by calling the Plan's main telephone
number, (805) 981-5050, or (800) 600-
8247 and selecting the appropriate
number for on-call assistance.

VCHCP Member/Provider Services

Representatives are available to answer questions from Members, Practitioners and Providers concerning:

- Member eligibility
- Covered services/benefits
- Utilization Management Information/Issues
- Deductibles and copayments
- Claims status

Representatives can be reached during the hours of 8:30 a.m. to 4:30 p.m. Monday through Friday by calling (805) 981-5050 or toll free at (800) 600-8247.

Members, Practitioners and Providers can also contact the Plan's Member/Provider Services Staff via email at:

- For Members – vchcp.memberservices@ventura.org
- For Providers – vchcp.providerservices@ventura.org

Emails are monitored and answered between the hours of 8:30 am and 4:30 pm, Monday through Friday, except for holidays.

TDD to Voice (800) 735-2929; Voice to TDD (800) 735-2922 English, or (800) 855-3000 to communicate in Spanish.

For assistance with benefits, eligibility, claims, or utilization management information, members and practitioners may also access the website at: www.vchealthcareplan.org

Behavioral/Mental Health Services

Providers or members wishing to find out more about behavioral or mental health services can call the Plan's behavioral health program administrator, OptumHealth Behavioral Solutions (AKA Life Strategies), at (800) 851-7407 or online at <https://www.liveandworkwell.com/member/>. Providers can contact Optum's Physician Consultation Line at (800) 292-2922, Monday through Friday, 8:00 am to 5:00 pm PST for an appointment with an Optum Health Behavioral Solutions Medical Director or go to the Provider Express website at <https://www.providerexpress.com/>.

California "Department of Managed Health Care" (DMHC)

The California Department of Managed Health Care (DMHC) is responsible for the regulation of Knox-Keene licensed health care service plans, like VCHCP. If the member has a grievance against VCHCP, they should first telephone VCHCP at the number provided in their Evidence of Coverage booklet and use our grievance process before contacting the DMHC.

Utilizing VCHCP's grievance process does not prohibit any potential legal rights or remedies that may be available to the member. If the member needs help with a grievance involving an emergency, a grievance that has not been satisfactorily resolved by VCHCP,

or a grievance that has remained unresolved for more than 30 days, the member may contact the DMHC for assistance.

The member may also be eligible for an **Independent Medical Review (IMR)**. If they are eligible for IMR, the IMR process will provide an impartial review of medical decisions made by VCHCP related to the medical necessity of a proposed service or treatment, coverage decisions for treatments that are experimental or investigational in nature and payment disputes for emergency or urgent medical services.

DMHC has a toll-free telephone number **(888) HMO-2219** and a TDD line **(877) 688-9891** for the hearing and speech impaired. DMHC's Internet website, www.hmohelp.ca.gov, has complaint forms, IMR application forms and instructions online to assist plan members.

Fraud Prevention

Each year, healthcare fraud costs consumers hundreds of millions of dollars. Healthcare fraud wastes precious funds, threatens the healthcare system, and victimizes consumers. VCHCP has a team of professionals working to combat this serious issue. You can help us to stop this serious problem by learning more about it and reporting suspicious incidences.

Healthcare fraud is defined as making, using or causing to be made or used any false record, statement, or representation of a material fact for use in determining rights to any benefit or payment under any healthcare program. Healthcare fraud can be committed by a provider, member, employer group, or by the Ventura County Health Care Plan (VCHCP) personnel. Any one indicator or combination of indicators does not in itself signify fraud. Rather, it only calls attention to circumstances that are sufficiently out of the ordinary that they might represent fraudulent activity and should be investigated further.

Healthcare fraud can be any scheme used by any provider of services for the purpose of personal or financial gain by means of false or fraudulent pretenses, representation, or promises. Healthcare Fraud can also be the commission of acts of deception, misrepresentation, or concealment by any member or Subscriber group in order to obtain something of value to which they would not otherwise be entitled.

Our Special Investigations unit also investigates suspect billing practices. You can access the VCHCP Fraud Prevention link on our website for guidance on billing procedures and prevention of inappropriate practices.

Code of Business Conduct and Compliance Program

The VCHCP sends newly contracted providers a letter with a welcome package that describes the VCHCP Standards. However, at all times providers are requested to help VCHCP uphold these standards by contacting the VCHCP if they are concerned that a VCHCP employee is not acting in compliance with our Code of Business Conduct, or if they have questions about VCHCP's standards of business conduct. Those standards are as follows:

The *Ventura County Health Care Plan*, owned and operated by the County of Ventura, is committed to the values of honesty and integrity in all of our business dealings, values for which we have been known since our formation in 1993. To emphasize the importance

of our high standards, we have adopted a Code of Business Conduct and Compliance Program. The Code of Business Conduct requires that all of our employees:

- Conduct activities in accordance with all applicable laws and regulations,
- Avoid allowing any outside financial interests to influence decisions or actions taken on behalf of VCHCP,
- Protect confidential and proprietary information,
- Avoid purchasing goods or services without VCHCP approval from any business in which a team member or close relative has a substantial interest,
- Record and report all business information fully, accurately and honestly,
- Avoid offering or accepting entertainment which is primarily intended to gain favor or influence,
- Avoid compensation, gifts, recompense or incentives or any other form of personal gain due to the purchase of goods or services from a supplier or customer,
- Prevent unauthorized use of VCHCP or VCMC Information systems, and
- Avoid using VCHCP funds or assets for any unlawful or unethical purpose.

To help us uphold our code of Business Conduct and Compliance Program's standards we request your support and cooperation with our efforts. All VCHCP team members are expected to comply with the Code of Business Conduct and to report any actual or suspected violations of the Code. If you suspect that any of our team members have violated any of the Code's prohibitions, you may report any incidents directly to the Plan Administrator by calling **(805) 981-5006**.

SECTION 2 – MEMBER SERVICES

Member Rights & Responsibilities

Ventura County Health Care Plan is committed to maintaining a mutually respectful relationship with its members that promotes effective health care. Standards for Members Rights and Responsibilities are as follows:

1. Members have a right to receive information about VCHCP, its services, its Practitioners and Providers, and Members' rights and responsibilities.
2. Members have a right to be treated with respect and recognition of their dignity and right to privacy.
3. Members have a right to participate with Practitioners in decision making regarding their health care.
4. Members have a right to a candid discussion of treatment alternatives with their Practitioner regardless of the cost or benefit coverage of the Ventura County Health Care Plan.
5. Members have a right to voice complaints or appeals about VCHCP or the care provided.

6. Members have a right to make recommendations regarding VCHCP's member rights and responsibilities policy.
7. Members have a responsibility to provide, to the extent possible, information that VCHCP and its Practitioners and Providers need in order to care for them.
8. Members have a responsibility to follow the plans and instructions for care that they have agreed upon with their providers.
9. Members have a responsibility to understand their health problems and participate in developing mutually agreed-upon treatment goals, to the degree possible.

If they have questions or concerns about their rights, please tell them to contact VCHCP Member Services at the phone number listed on their membership card. If they need help with communication, such as help from a language interpreter, they may contact Member Services (805) 981-5050 or (800) 600-8247 and a representative can assist them.

Member Grievance Process

VCHCP administers the investigation and resolution of member grievances and appeals.

This process follows a standard set of policies and procedures. The process also encourages communication and collaboration on grievance issues among various VCHCP departments. VCHCP requests that contracted hospitals and physicians become familiar with the member grievance process (see [Appendix B](#) for a description of this process) and suggest members use it rather than other alternatives such as binding arbitration. VCHCP member contracts require binding arbitration to settle member disputes.

VCHCP requires providers to make available, upon request, a grievance/complaint form to the member, and should maintain a supply of such forms in their offices. This form can be downloaded from our website at:

http://www.vchealthcareplan.org/members/docs/grievanceForm_eng.pdf.

If you would like a copy of this form mailed to your office please contact Member/Provider Services at (805) 981-5050 or toll free at (800) 600-8247. Directing a member back to the Plan or to the website in lieu of providing the document to them, does **not** comply with DMHC, Health and Safety Code 1300.68 (b)(7).

SECTION 3 – PHYSICIAN/PROVIDER RIGHTS AND RESPONSIBILITIES

VCHCP Provider Standards

Providers agree to promote the interest of the VCHCP and its members and, through their own conduct, to uphold the good name of the VCHCP.

- Providers deliver to the VCHCP subscriber quality medical services that are cost-effective and meet prevailing community standards. In the delivery of health care services, providers do not discriminate against any person because of race, color, national origin, religion, gender, sexual orientation, disability, or physical or mental handicap. Providers seek to educate and encourage subscribers to follow health practices that improve their lifestyle and well-being.

- VCHCP providers agree not to refer members for non-covered services or perform non-covered services unless the member signs an acknowledgement of financial responsibility.
- Providers maintain appropriate licensure for their practice, as well as for any individuals for whom they have direct responsibility, and restrict their practice to the scope of their licensure.
- Physician providers abide by the code of ethics established by the Judicial Council of the American Medical Association and the VCHCP Medical Policy.
- Providers agree to ensure that claims submitted to VCHCP are coded accurately paying particular attention to the CPT and ICD-10 descriptors used as well as accurately reflecting the provider of service.
- Providers who have been disciplined by a professional or governmental body in authority, or who have been placed on review by the VCHCP for an extended period of time for not modifying their practice or billing pattern, understand that they may be expelled from membership. Providers further acknowledge that appropriate discipline may be taken should they be found guilty of fraud, willful misrepresentation, or materially departing from accepted practice standards, including providing medically unnecessary services.
- Providers assure accurate, complete, and timely recording of medical records while observing the requirements for confidentiality.
- Providers cooperate with the VCHCP practices and procedures and honor the terms and conditions of the subscriber's health care service plan. Providers refer subscribers to other VCHCP contracted providers and admit subscribers to the VCHCP preferred hospitals. Physician providers actively support appropriate utilization of hospital facilities and ancillary medical services, and abide by review procedures and decisions of professional peer review, as well as the VCHCP Medical Policy.
- Providers agree to deliver services within a reasonable time period, as defined in the access-to-care guidelines contained in [Appendix A](#).

Patient Advocacy

The patient's physician is responsible for being an advocate on behalf of VCHCP patients. Physicians can do this in a number of ways. For example, you should familiarize yourself with the "Member Rights and Responsibilities" information included in the Member Services section of this manual, and help our members understand that they should take an active role in maintaining their health. In particular, let them know that they should ask you for clarification if they do not understand that they should take an active role in maintaining their health.

Also, please understand that nothing in your participating provider agreement or our policies should be construed to prohibit, limit or restrict you from advocating on behalf of your patients.

Language Assistance

Providers shall comply with VCHCP's Language Assistance Program standards and methods developed pursuant to the Knox-Keene Act and Regulations. Providers shall cooperate with VCHCP and provide it with all information requested to enable VCHCP to assess such compliance by provider. The Language Assistance Program is provided to Enrollees free of charge. If an Enrollee declines the services of an interpreter, providers shall document that declination in the Enrollee's medical record or patient file.

Purpose

To establish the overall responsibilities of the Primary Care Physician (PCP), Specialists, and Ancillary Providers in the provision and/or delivery of Language Assistance services to non-English proficient members.

Scope

The Plan communicates language assistance program requirements to the network providers. Contracted providers receive monthly enrollment reports from the Plan that include the members' language preferences.

Providers are expected to make sure that patient needs are met pertaining to language interpretation for non-English proficient patients if the doctor or his/her present staff member are not medically fluent in the patient's preferred language. The physician's office should contact the Plan in advance of such members' appointments to ensure that an interpreter has been arranged for such members. The Plan will then schedule an interpreter for the appointment.

All physicians are advised that the use of family members as interpreters is discouraged, as most people are not fluent in medical language translation. Such issues can create a communication gap, which can limit the patient's ability to relay issues correctly, thus adversely affecting medical care. If the physician or a staff member is going to serve as the interpreter, such interpreter must have an attestation form on file with the Plan that such person is medically proficient in language interpretation for such language. For more information on the subject as well as to stay informed of any Language Assistance Program updates, all providers are strongly encouraged to regularly review the Plan's Language Assistance Program Description located at

<http://www.vchealthcareplan.org/providers/providerIndex.aspx>.

To access the AT&T Language Line, call 1-800-774-4344, 24 hours per day, 7 days a week. The VCHCP Client Number is 501156.

Provider Credentialing

OVERVIEW

To help ensure a quality health care delivery system, VCHCP requires new providers, including physicians and non-physician providers, to be credentialed as part of the contracting process with VCHCP. VCHCP also requires its providers to be re-credentialed every three (3) years.

VCHCP has established the following criteria for practitioner participation in the VCHCP network. If the practitioner does not meet one or more of the following criteria, the Credentialing Committee (CC) considers the practitioner's history on an individual basis.

- A current, valid, unencumbered, unrestricted, and non-probationary state license with no unresolved public records in a five year look back period.
- Current, valid, and unrestricted DEA certificate for prescribing controlled substances, if applicable to his/her practice in which he/she will treat the Plan's members.
- Verification of clinical privileges in good standing, including status and type, from the applicant's primary admitting facility. If the applicant does not admit patients to the hospital, the verification form, indicating that the applicant has arrangements for VCHCP members to receive needed hospital care, is completed.
- Must not be currently debarred or excluded from participation in Medicare or Medicaid programs.
- Current malpractice insurance coverage consistent with limits established by VCHCP.
- Application and supporting documentation must not contain omissions or falsifications, (including any additional information requested by VCHCP). Attestation as to the completeness and accuracy of the application must be signed.
- Education, training and certification must meet criteria for the specialty in which the applicant will treat the VCHCP members. Board Certification or Board eligibility is required for new MDs and DOs applying after October 15, 2012. If Board Eligible, applicant must become Board Certified after completion of training, at the first opportunity to take certification exam based on time frame specific to each specialty board. VCHCP may consider exceptions based on network needs or other extenuating circumstances on a case by case basis.
- Site visit and medical record review results, if applicable, must meet VCHCP standards.
- Complaints from members and/or other providers must be at levels deemed acceptable to VCHCP.
- Explanations for gaps in work history must be documented and deemed acceptable to VCHCP.

- History of professional liability suits, arbitrations or settlements must be within established VCHCP standards, or in the presence of suits exceeding such standards are reviewed by the CC on an individual basis.
- No physical or mental impairment, (including chemical dependency and substance abuse), that would affect the practitioner's ability to practice within the scope of his or her license or pose a risk or imminent harm to members. In the presence of a history of physical or mental impairment, the nature of the impairment and other information obtained during the credentialing or recredentialing process are reviewed by the CC on an individual basis.
- No history of disciplinary actions, sanctions, or revocations of privileges taken by hospitals and other healthcare facilities or entities, HMOs, PPOs, PHOs, etc. or, in the presence of such actions or sanctions, the CC's determination is based upon the nature of the disciplinary action or sanction and other information obtained during the credentialing or recredentialing process.
- No open indictments, convictions, or pleadings of guilty or no contest to, a felony, and no open indictments or convictions to any offense involving moral turpitude, fraud, or any other similar offense.
- No other significant information, such as information related to improper or unethical professional conduct, including, but not limited to boundary issues or sexual impropriety or illegal drug use, which might indicate a reasonable suspicion of future substandard professional conduct and/or competence. If present, the information is reviewed by the CC on an individual basis.
- A Language Assistance attestation form must be filed and maintained by the VCHCP attesting to the language(s) spoken by providers and/or office staff.

Practitioner Rights During the Credentialing Process

Right to Review Information

VCHCP staff provides practitioners the opportunity to review information used in the credentialing process, upon request. Practitioners may review the information at the VCHCP offices or receive copies of the information in a secure and confidential manner.

The evaluation may include information obtained from outside primary sources (such as malpractice insurance carriers or state licensing boards). The review does not include NPDB or HIPDB reports, references or recommendations, or other information that is peer review protected. VCHCP is not required to reveal the source of information if the information is not obtained to meet credentialing verification requirements or if disclosure is prohibited by law.

Right to Correct Erroneous Information

Practitioners have the right to correct erroneous information collected during the credentialing process. VCHCP staff notifies the practitioner if the credentialing information obtained from other sources varies substantially from that supplied by the practitioner, including but not limited to actions on a license, malpractice claims history, or board certification.

The practitioner is notified by phone call, fax, or certified letter as soon as possible after receipt of the conflicting information.

VCHCP advises the practitioner of the nature of the discrepancy and asks the practitioner to submit a response to clarify or correct the information. The response must be submitted in writing (via mail, email or fax) to the Credentialing Department, with supporting documentation, if available, within ten (10) working days of notification. The practitioner's response is recorded and placed in the credentialing file for review by the CC Chair and the CC.

Right to Be Informed of Application Status

VCHCP staff informs practitioners of the status of their credentialing or recredentialing applications, upon request. In response to such a request, one of the following status statements is provided by telephone, email or fax:

- “Application required from practitioner”
- “Application returned to the practitioner to supply complete information”
- “Awaiting information from the practitioner”
- “Processing application”
- “Being reviewed by the Medical Director”
- “Application scheduled to be presented to the Credentialing Committee”
- “Application approved”
- “Committee decision pending additional information from practitioner”
- “Application disapproved”
- “Application withdrawn”

Terminations

When issues related to a practitioner's professional conduct and/or competence are identified, the CC Chair evaluates the issue and refers the matter to the CC for review. The CC renders a decision of suspension or termination for cause during a re-credentialing review or during an off-cycle review.

The Peer Review subcommittee of the QAC may recommend to the Medical Director and the CC that the privileges of a practitioner be altered including termination. This could include the recommendation for immediate suspension or termination.

The practitioner is notified in writing of the CC's decision of limitation of privileges, suspension or termination for cause (professional review action) and advises the practitioner of the reasons for the action, the right to appeal the determination and a summary of the appeal rights and process. The notification is signed by the CC Chair. If the practitioner exercises his/her right to appeal, the practitioner is provided an appeal in accordance with procedure defined in the “Practitioner Appeal Process” section below.

If the practitioner does not invoke the right to an appeal or the appeals process, the CC's decision to suspend or terminate the practitioner is upheld and the Member Services Department is notified of the effective date of the termination.

Immediate Termination

In circumstances that may require immediate termination in an expedited timeframe, the CC Chair acts on behalf of the CC and investigates circumstances and makes a determination. If appropriate, the CC Chair implements the process for immediate termination if a practitioner's continued participation in VCHCP network poses potential risk to the health or welfare of one or more of VCHCP's members or may potentially result in imminent danger to the health or welfare of one or more of the VCHCP members due to specific issues of professional conduct and competence. The CC Chair may consult with legal counsel regarding the circumstances of the need for immediate termination.

The CC Chair issues written notice of an adverse decision on behalf of the CC to the affected practitioner, and provides the practitioner an appeal in accordance with procedure defined in the "Practitioner Appeal Process" section below. The CC Chair reports and reviews the immediate termination action at the next scheduled meeting of the CC.

The affected practitioner has the right to appeal, but participation may not be reinstated during the appeals process. If a decision to terminate a practitioner immediately is overturned on review or appeal, the practitioner is reinstated and he/she does not lose any of the protections to which the practitioner had been entitled before the immediate termination.

Practitioner Appeal Process

Written Notification of Proposed Action

The practitioner is notified in writing that a professional review action has been proposed to be taken against him/her. The notification includes the reasons for the action and a summary of the appeal rights and process. The practitioner is informed that he/she has the right to request a hearing on the proposed action. The request must be made within 30 calendar days of the date of notification, in writing, directed to the Chair of the CC at the Administrative Office of VCHCP.

Written Notification of Hearing

If a hearing is requested by the affected practitioner, a written notification of the hearing is sent to the practitioner. The notification states the place, time, and date of the hearing. The date of the hearing is not less than 30 or more than 60 calendar days after the date of the notice.

The notification includes a list of the witnesses, if any, that are expected to testify at the hearing on behalf of the CC, the professional review body. The practitioner is also informed that he/she has the right to be represented by an attorney or another person of their choice.

Hearing Panel and Hearing Procedure

The hearing is held before a Hearing Panel. The CC Chair selects and requests the appointment of a Hearing Panel composed of an odd number, at least three (3), of the practitioner's peers who are not in direct economic competition with the practitioner

involved and with current VCHCP agreements but not members of the CC or actively involved in the matter at any previous level.

The CC Chair designates an attorney at law to serve as the Presiding Officer at the hearing. The Presiding Officer may be legal counsel to VCHCP, but does not act as the prosecuting officer or as an advocate for either side at the hearing. The Presiding Officer may participate in the private deliberations of the Hearing Panel and may be a legal advisor to the Panel, but may not vote on the Panel's recommendations. The Presiding Officer is responsible for assuring that all participants in the hearing have a reasonable opportunity to be heard and to present oral and documentary evidence, and that decorum is maintained throughout the hearing. The Presiding Officer oversees and supervises the entire hearing process, and has the sole authority and discretion to rule on all questions such as those pertaining to discovery, procedure, and the admissibility of evidence.

The affected practitioner is required to be personally present at the hearing. The right to the hearing may be forfeited if the practitioner fails, without good cause, to appear. The practitioner has the right to be represented by an attorney or another person of his/her choice. The practitioner must notify the CC Chair at least 14 days prior to the hearing if he/she intends to be represented and if so, the professional status of his representative.

The CC, the body whose actions constituted the adverse recommendation, appoints an individual to represent it as spokesman, and also may be entitled to be represented by an attorney. If the practitioner does not have an attorney present, the CC may not have their attorney present per California law.

During the hearing, both parties have the right to:

- Have a record made of the proceedings and to obtain a copy of that record upon payment of any reasonable charges associated with the preparation of the record.
- Call, examine, and cross-examine witnesses.
- Present evidence determined to be relevant by the Presiding Officer, regardless of its admissibility in a court of law.
- Submit a written statement at the close of the hearing.

The hearing need not be conducted strictly according to the rules of law relating to the examination of witnesses or presentation of evidence. Any relevant matter upon which responsible persons customarily rely in the conduct of serious affairs may be considered, regardless of the admissibility of such evidence in a court of law. Each party is entitled, prior to or during the hearing, to submit memoranda concerning any issue of law or fact, and those memoranda become part of the hearing record.

The practitioner has the burden of proving by a preponderance of the evidence, that the adverse action or recommendation is arbitrary and capricious. The CC, whose adverse action or recommendation prompted the hearing, has the initial obligation to present evidence in support of its decision, but the practitioner thereafter is responsible for supporting, by a preponderance of the evidence, his/her challenge that the adverse action or recommendation was arbitrary and capricious.

New or additional matters or evidence not raised or presented during the original consideration by the CC may be introduced at the hearing only at the discretion of the

Hearing Officer, only if the party requesting consideration of the matter or evidence shows that it could not have been discovered in time for the CC's review. The requesting party shall provide a written substantive description of the matter or evidence to the Hearing Officer and the other party at least three (3) days prior to the scheduled date of the review.

Post Hearing

Within fifteen (15) days after final adjournment of the hearing, the Hearing Panel makes a written report of its findings and recommendations, including a statement of the basis for the recommendations. A copy of its findings and recommendations are sent to VCHCP and the affected practitioner.

If the Hearing Panel's result is favorable to the practitioner, it is effective immediately. If the Hearing Panel's result is not favorable to the practitioner, the decision is forwarded to the CC for review and action. Within fifteen (15) days of the CC's review and action, the affected practitioner is sent written notification of the CC's decision, including a statement of the basis for the decision.

Reporting of Adverse Actions

Reportable adverse actions are those based on a practitioner's professional competence or professional conduct that adversely affects, or could affect, the health or welfare of members. VCHCP reports all adverse actions, which result from professional review action, to the appropriate governmental agencies in accordance with applicable laws, including Medical Board 805, and to the National Practitioner Data Bank (NPDB).

Reports to the NPDB are submitted using the Data Bank website within fifteen (15) calendar days of an adverse action. The Data Bank mails a copy of the processed report to the practitioner named in the report. VCHCP staff mails a printed copy of the Report Verification Document (RVD) to the appropriate state licensing board.

Participation in the HEDIS Quality Measurement Process

"HEDIS", which stands for "*Healthcare Effectiveness Data and Information Set*", is an evolving set of measures designed to provide performance-related information in a standardized, objective, and useful format.

Developed by the National Committee for Quality Assurance (NCQA), HEDIS currently serves as an incentive for VCHCP and its provider network to improve its performance in providing access to high-quality care and service. VCHCP has been an advocate for health care quality measurement and has been participating in the HEDIS reporting process since 1998.

In order to report HEDIS statistics as accurately as possible, VCHCP conducts a rigorous search for all relevant medical information. The search begins with our administrative systems and then broadens to include a review of the members' medical records. It is in this aspect of the HEDIS reporting process that we need the assistance of our members' Primary Care Physicians.

Medical record review is an integral part of the HEDIS reporting process. In order to conduct this review, a physician's office may be asked to:

- provide documentation indicating whether or not certain patients have had specific screenings or services
- allow a VCHCP professional services coordinator access to patient's medical records in order to abstract and photocopy the relevant data
- review medical records with a VCHCP healthcare representative in order to ensure correct interpretation of the progress notes

Whether data is obtained through encounter reporting, through claims, or through audits of your medical records, the accuracy and completeness of the data and your cooperation with the data collection efforts is vital to the Quality Improvement Program. The computerized documentation system, Cerner, will be a major factor in medical records review. Please continue to use and perfect your skills in this system as we move away from paper/hard copy records as is mandated by the Health Care Reform regulations.

Why does VCHCP measure HEDIS? VCHCP is required to report HEDIS rates to its state regulators, the Department of Managed Health Care (DMHC) during the Plan's DMHC medical site audit. Data obtained from HEDIS helps VCHCP to direct its quality improvement activities, evaluate performance, and identify further opportunities for improvement.

Why is this important for members and providers? As a result of measuring health care services, VCHCP can develop initiatives to improve the health of members based upon their health care needs. Quality programs serve to increase member awareness and understanding of preventive health care, health care screenings, and appropriate care for specific conditions. Throughout the HEDIS data collection process, we maintain every member's confidentiality at the highest level. No individual results are reported.

HEDIS TIPS FOR PHYSICIANS

VCHCP may contact selected physicians to review patient medical records as part of the HEDIS medical records review process. The following are HEDIS tips for physicians:

- Physicians should keep accurate, legible, and complete medical records for their patients in their electronic health record documentation system.
- Physicians need to encourage patients to receive appropriate preventive health services to ensure their health and well-being.
- Since HEDIS reporting is mandated for compliance, physicians and their staff should become familiar with HEDIS measures. Doing so will help physicians to better understand the reporting requirements to which health plans are held. Physicians are encouraged to develop a process that will help them identify outstanding preventive health services their patients need at the time patients come in for services. Contractually, physicians are obligated to allow the Plan access for reviewing medical records. VCHCP members sign a medical records release form at the time of enrollment so it is not necessary for a physician to obtain a release.

Confirmation of Good Standing with State and Federal Regulatory Agencies

All VCHCP-contracted physician providers must maintain a current license with the Medical Board of California (MBC) or the Osteopathic Medical Board of California (OMBC). Providers must also maintain a current and valid medication prescription license from the DEA.

Evidence of Professional Liability Insurance

Each physician provider must maintain and provide evidence of professional liability insurance, including a copy of the certificate of insurance that states the name of the insured, the length and amount of coverage (as defined in the agreement), and the expiration date.

Quality Management and Improvement

The Quality Management Program (“QA Program”) is an integral part of VCHCP’s “Quality and Care Management Program” (“QACMP”). The purpose of the QA Program is to establish objective methods for systematically evaluating and improving the quality, appropriateness, and outcome of care and services, including the structures and processes by which services are delivered to Ventura County Health Care Plan (VCHCP) members. The program is designed to continuously pursue opportunities for improvement and problem resolution. The QA Program incorporates two major processes generally referred to as: Quality Management (“QA”) and Quality Improvement (“QI”).

The QA Program supports and ensures the organizational mission and strategic goals and processes to ensure quality of care and services are rendered appropriately and safely to all VCHCP members. In so doing, it collaborates with internal and external partners of the organization to ensure the following goals are accomplished:

- To continuously improve the quality of care and service delivered to VCHCP customers, members, employers and provider panel members.
- To develop, implement and coordinate all activities that are designed to improve the processes by which care and service are delivered.
- To ensure a system of QA communication that is timely and uses appropriate channels to report issues to appropriate individuals (including member communications and provider communications). Topics of communication include, but are not limited to, HEDIS specific measures, Health Plan specific updates (such as Policies and Procedures), and regulatory requirements and updates.
- To facilitate documentation, reporting, and follow-up of QA activities in order to prevent duplication and facilitate excellence in clinical care, service and outcome.
- The evaluation activities include, but are not limited to, the areas of:
 - Provider accessibility and availability
 - Provider satisfaction
 - Care guidelines and policies

- All aspects of utilization within the Plan, including under- as well as over-utilization of services
- Adverse outcomes or sentinel events
- Medical record-keeping practices
- Provider site audits
- Member satisfaction, including members who have not used the Plan or who have only occasionally used the Plan
- Complaints, grievances, and appeals
- Timeliness of handling of claims
- High risk and high volume services

One of the most important components of the QA Program is the active participation of the VCHCP provider network. The expertise and input of contracted providers are critical to improving the quality of care and service members receive. VCHCP providers serve as members of the committees and ad hoc clinical taskforces. As members of these committees and taskforces, VCHCP providers contribute their knowledge and expertise in analyzing data, identifying barriers, and designing effective interventions to remove those barriers. VCHCP proactively seeks provider participation and encourages providers to volunteer to become active participants in the QA Program.

Providers interested in viewing the Quality Management Program Description in its entirety may access it online at:

<http://www.vhealthcareplan.org/providers/providerIndex.aspx> or by calling Member/Provider Services for a printed copy at (805) 981-5050 or (800) 600-8247.

Members interested in viewing the Quality Management Program Description in its entirety may access it online at:

<http://www.vhealthcareplan.org/members/otherInformation.aspx> or by calling Member/Provider Services at for a printed copy at (805) 981-5050 or (800) 600-8247.

Medical Records

To assist us in maintaining continuity of care, physician offices must provide copies of medical records for services rendered to our members when it is essential to communicate the documentation of care to other providers and/or VCHCP for the purpose of delivering further care and/or making further care decisions.

Members are entitled to obtain copies of their own medical records, including copies of Emergency Department records, X-rays, CT scans, and MRIs. Hospitals must make member medical records available upon request within time requirements established by regulatory agencies, to the member and to VCHCP and its designated agents. Additionally, the hospital must, without charge, transmit a member's medical record information to the member's PCP and other providers engaged in care of the member; and to VCHCP for purposes of utilization management, quality improvement, and other VCHCP administrative purposes. The hospital also must secure from the member, on admission, a release of medical information, in the event it is required by law.

In keeping with regulatory standards, a member's medical records must be kept for at least six years from the date of the last service or six (6) years from the date that a minor has achieved majority, whichever is later.

State, Federal and VCHCP internal quality of care policies require that medical records be maintained in a manner that is current, detailed and organized, and permits effective and confidential patient care and quality review. Medical records should also be kept, at a minimum, in compliance with core elements to medical record documentation as defined by Joint Commission, and other national credentialing entities.

Please refer to Appendix D for VCHCP's complete policy on medical record-keeping.

HIPAA Overview

The Health Insurance Portability and Accountability Act (HIPAA) is a federal law that requires VCHCP and its providers to protect the security and privacy of its members' Protected Health Information (PHI) and to provide its members with certain privacy rights, including filing a privacy complaint.

PHI is any individually identifiable health information, including demographic information. PHI includes, but is not limited to a member's name, address, phone number, medical information, social security number, Health Plan number, date of birth, financial information, etc.

VCHCP supports the efforts of its providers to comply with HIPAA requirements. Because patient information is critical to carrying out health care operations and payment, VCHCP and its providers need to work together to comply with HIPAA requirements, in terms of protecting patient privacy rights, safeguarding PHI and providing patients with access to their own PHI upon request.

Confidentiality

VCHCP has implemented policies and procedures to protect and ensure the confidential treatment of personal and health information of our members and privileged medical record information. We expect that every physician provider will protect and maintain the confidentiality of VCHCP members' personal and health information in accordance with the law.

This means, in addition to other requirements, that all patient information and medical records, including clinical reports, must be otherwise protected from viewing by, and contact with, anyone not directly responsible for a member's care, or as otherwise required by regulatory, law enforcement, or government agencies.

In conformance with HIPAA, VCHCP has developed and makes available its policy and procedures with regard to compliance with Federal HIPAA requirements. A copy of this document is provided to new members and can be viewed on the Plan's website as well.

KEY TIPS FOR PROVIDER OFFICES

Member Rights

Under HIPAA, all patients have rights related to their PHI, to which both VCHCP and providers must adhere. The Notice of Privacy Practices outlines VCHCP members'

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privacy rights and VCHCP's responsibilities. To obtain a copy of the Notice of Privacy Practices, contact the Plan at (805) 981-5050 or (800) 600-8247. Providers should have their own Notice of Privacy Practices. Furthermore, should a VCHCP member want to exercise his or her privacy rights, you may need to request, or advise the patient on how to request, access to his or her PHI from VCHCP.

The succeeding chart lists members' rights with respect to their PHI. Members may exercise any of these rights with respect to PHI held by the provider and/or VCHCP. If the member intends to exercise one of those rights as it pertains to VCHCP, the chart also identifies the specific VCHCP request or authorization form to assist the member.

To obtain a copy of the applicable form, contact Member/Provider Services at (805) 981-5050 or (800) 600-8247

MEMBER RIGHT	VCHCP REQUEST/AUTH FORM
Members can request access to or copies of their PHI, which can include claims reports, care management records, or enrollment information	<i>Authorization Release Information Form</i>
Members can request that VCHCP change their PHI records	<i>Member Request to Amend Protected Health Information (PHI)</i>
Members can request an accounting of how their PHI was disclosed at VCHCP	<i>Request for an Accounting of Disclosures Form</i>
Members can request that VCHCP communicate with them by different ways or to a different address than their home residence	<i>Request for Restriction on Manner/Method of Confidential Communication Form</i>
Members can request that VCHCP restrict the use or disclosure of their PHI. VCHCP does not have to agree to the request	<i>Request for Restriction on Use or Disclosure of Protected Health Information (PHI)</i>
Members must authorize VCHCP to use or disclose their PHI to another person or authority	<i>Authorization Release Information Form</i>
Members must authorize VCHCP to use or disclose their PHI to a family member or friend that is involved in the member's care	<i>Authorization Release Information Form</i>

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Safeguarding PHI

Both VCHCP and its providers are required by law to protect members' PHI. Providers can take a few basic steps that will significantly minimize the risk of a breach of PHI. The table below contains a few important reminders on how to protect and secure PHI.

PHI in Paper Form	
In The Office	PHI should be locked away during non-business hours
Fax	<ul style="list-style-type: none"> • Staff should verify fax numbers prior to sending the fax. • Outgoing faxes must include the provider fax cover sheet, which contains a confidentiality statement • Incoming/outgoing faxes should not be left unattended during non-business hours.
Mail	<ul style="list-style-type: none"> • Quality checks of mailings should be conducted prior to sending. • Envelopes or packages must be properly sealed and secured prior to sending. • Mailings that contain PHI of 2,500 or more members must be sent by a secure bonded courier with a signature required on receipt.
Handling PHI offsite	<ul style="list-style-type: none"> • PHI must be protected during transport to and from the office through the use of binders, folders or protective covers, or locked in the trunk of the vehicle. • PHI must not be left unattended in vehicles. • PHI must not be left unattended in baggage at any time during traveling.
Disposal	PHI must be shredded or destroyed.

PHI in Electronic Form	
Email	<p>Internal Email:</p> <ul style="list-style-type: none"> • Email sent within VCHCP or a health network that contains PHI must be limited to the use and disclosure of the minimum necessary data to complete the required message. • Do not include PHI in the subject line of the email.
Electronic Devices	Portable data storage devices (CD's, DVD's, USB drives, portable hard drives, etc.) must be encrypted.
Disposal	PHI in electronic form must be destroyed or disposed of in a secure manner.

Reporting a Breach of PHI

If a provider becomes aware that a breach of PHI has occurred by VCHCP contracted provider or delegate of VCHCP, the provider should notify VCHCP, the delegated entity or provider **immediately** upon discovery. To report a breach to VCHCP, call VCHCP's Member/Provider Services Department at (805) 981-5050 or (800) 600-8247.

Compliance with the Americans with Disabilities Act

The Americans with Disabilities Act (ADA) requires public accommodations (e.g., professional office of a health care provider, VCHCP offices, etc.) to provide goods and services to people with disabilities on an equal basis as people without disabilities. VCHCP and contracted health care providers must comply with the ADA, which applies equally to the physician practitioner, to the hospital and to health plans.

Providers are responsible for making reasonable accommodations available for disabled members and cannot pass on the cost of accommodating the patient's needs.

If a provider is unable to accommodate a disabled patient, the provider should arrange for the patient to be seen by a provider who is able to accommodate the member.

If a provider cannot reasonably accommodate a member and requires assistance with access to a provider who can accommodate the member, providers can call Member/Provider Services at (805) 981-5050 or (800) 600-8247 to obtain assistance.

Primary Care Physician Responsibilities

Overview

The Primary Care Provider (PCP) plays the central role in structuring care for the VCHCP members. The PCP is the main provider of health care services for VCHCP members, and is responsible for the delivery of health care to his or her assigned members. VCHCP's model of care is built around the PCP, with the PCP as the center of a multidisciplinary team coordinating services furnished by other physicians or providers to meet the needs of the member.

Purpose

To establish the overall responsibilities of the Primary Care Physician (PCP) in the delivery of clinical services to the member.

To establish a system to support continuity of care for the member.

Scope

The following describes in general the role of the primary care physician:

- 1) Provide care for the majority of health care issues presented by the member, including preventive, acute, and chronic health care.
- 2) Furnish risk assessment, treatment planning, coordination of medically necessary services, referral, follow-up and monitoring of appropriate services and resources required to meet the needs of the members.
- 3) Case management of assigned members to ensure continuity of care, facilitate access to appropriate health services, reduce unnecessary referrals to specialists, minimize inappropriate use of the emergency department, maintain appropriate use of pharmacy benefits, and identify appropriate health education materials and interventions.
- 4) Assure access to care 24 hours per day, seven days per week, including accommodations for urgent care, performance of procedures and inpatient rounds.
- 5) Coordinate and direct appropriate care for members, including:
 - a) Initial assessments
 - b) Preventive services in accordance with established standards and periodicity schedules, as required by age and according to the American Academy of Pediatrics (AAP) and the United States Preventive Services Task Force (USPSTF)
 - c) Second opinions
 - d) Consultation with referral specialists
 - e) Follow-up care to assess results of primary care treatment regimen and specialist recommendations
 - f) Special treatment within the framework of integrated, continuous care
- 6) Coordinate the authorization of specialist and non-emergency hospital services for members.
- 7) Contact and follow-up with the member when the member misses or cancels an appointment.
- 8) Record and document information in the member medical record, including:
 - a) Member office visits, emergency visits and hospital admissions
 - b) Problem lists, including allergies, medications, immunizations, surgeries, procedures and visits
 - c) Efforts to contact member
 - d) Treatment, referral and consultation reports
 - e) Lab and radiology results ordered by the PCP
- 9) Make reasonable attempts to communicate with the member in the member's preferred language, using available interpretation or translation services.

- 10) If the member has a behavioral health diagnosis, coordinate the member's care with the member's behavioral health provider or behavioral health case manager.
- 11) The PCP serves both as a provider and coordinator of the member's care. The PCP provides medical expertise and direction concerning the member's healthcare needs, functioning as a manager for all healthcare services provided to the member.
- 12) The PCP provides, or arranges for, 24 hour/seven day per week coverage in his or her primary care practice.
- 13) PCPs are expected to provide services within their scope of duties and privileges, without referral to a specialist, unless such provision of care has been conducted without a significant improvement of the member's condition, or unless the PCP recognizes that further treatment or procedures are necessary, and can only be provided by a specialist or other consultant. Services rendered by the PCP include preventive services that are timely for children and adults: well-child care, immunizations, and health screenings.
- 14) The PCP receives and evaluates specialist reports and determines (with specialist provider input, when necessary) if additional specialty services are needed. This involvement of the PCP helps to ensure continuity of care and eliminates duplication of services.
- 15) The PCP submits authorization requests for medically necessary services to the UM Department for approval.
- 16) Following authorization for a requested specialist, said specialist (as approved by the committee) may directly submit requests to the Utilization Management (UM) Department for approval.
- 17) During the member's hospitalization, stay in a skilled nursing facility or utilization of home healthcare services, the PCP continues to monitor the medical necessity of services being provided and facilitates the appropriate transfer of the member to a lower level of care. The facility attending physician may be responsible for monitoring the member's care.

Additionally, established guidelines for PCP responsibilities may be reviewed, approved and utilized by VCHCP and distributed to practitioners for use, such as preventive clinical practice guidelines. VCHCP, in conjunction with actively practicing local physicians, also may develop its own description of the primary care physician responsibilities, such as diabetes clinical practice guidelines and asthma clinical practice guidelines.

SECTION 4 – MEDICAL MANAGEMENT

Program Overview

VCHCP's Medical Management program is a collaborative process of assessment, planning, facilitation, advocacy, and implementation of options and services to meet an individual's health needs, to promote delivery of medically necessary, appropriate health care or services and quality, cost-effective clinical outcomes.

The Medical Management Program is designed to assist VCHCP contracted physicians, providers, and hospitals in ensuring that medical services are:

- Covered under the member's health plan benefits.
- Appropriate and medically necessary. The appropriateness of care and the medical necessity of services determination are made by qualified licensed health care professionals. Medically necessary services include only those services that have been established as safe and effective and are furnished in accordance with generally accepted professional standards to treat an illness, injury, or medical condition. Medically necessary services also are:
 - Consistent with the symptoms or diagnosis
 - Not furnished primarily for the convenience of the patient, the attending physician, or other provider
 - Provided safely and effectively to the patient at the most appropriate level of care
 - Consistent with VCHCP's Medical Policy, as well as federal and state regulations
- Provided at the most appropriate level, consistent with the:
 - Accepted standards of medical practice
 - Patient's diagnosis and level of care required
 - Nationally recognized utilization management (UM) criteria, without undue influence of Plan management concerned with VCHCP's fiscal operations
 - Guidelines established by the VCHCP Medical Policy Committee and federal and state regulatory guidelines

The goal of VCHCP's medical management program is to promote the efficient and appropriate utilization of medical services and to monitor the quality of care given to members. To accomplish this goal, the program requires systematic monitoring and evaluation of the medical necessity and level of care of the services requested and provided. VCHCP determines medical necessity and the appropriateness of the level of care through the prospective review of care requested and the concurrent and retrospective review of care provided. These reviews are conducted by VCHCP nurse reviewers, medical directors, peer review committees, physician peer reviewers and other consultants.

Affirmative Statement

Utilization management **Affirmative Statement**

VCHCP distributes the following affirmative statement to all practitioners, providers, staff and members regarding incentives to encourage appropriate utilization and discourage underutilization. The Affirmative Statement is also posted prominently in the UM department.

Ventura County Health Care Plan Affirmative Statement Regarding Utilization-related Incentives*

- ◆ UM decision making is based only on appropriateness of care and service and existence of coverage.
- ◆ The organization does not specifically reward practitioners or other individuals for issuing denials of coverage or care.
- ◆ Financial incentives for UM decision makers do not encourage decisions that may result in underutilization.
- ◆ VCHCP does not use incentives to encourage barriers to care and service.
- ◆ VCHCP does not make hiring, promotion or termination decisions based upon the likelihood or perceived likelihood that an individual will support or tend to support the denial of benefits.

* Includes the following associates: medical and clinical directors, physicians, UM directors and managers, licensed UM staff including management personnel who supervise clinical staff and any associate in any working capacity that may come in contact with members during their care continuum.

VCHCP encourages it's providers to practice evidence-based medicine. VCHCP has links to clinical practice guidelines available to address conditions frequently seen in patients at your practice. All clinical practice guidelines included have been reviewed and approved by the VCHCP Quality Assurance Committee.

Recommended Clinical Practice Guidelines and the Link for providers:

- Clinical Practice Guidelines
- Diabetes and Asthma Clinical Practice Guidelines
- Preventive Clinical Practice Guidelines
- Behavioral Health Best Practice Guidelines
 - Major Depressive Disorder
 - ADHD

Link to be used: <http://www.vchealthcareplan.org/providers/medicalPolicies.aspx>

You may obtain hard copies of the above listed Clinical Practice Guidelines by calling VCHCP at 805-981-5050.

Program Functions

VCHCP has developed medical management processes that address inpatient and outpatient utilization, as well as monitor quality of care. Our medical management process includes, but is not limited to, the following functions:

- Pre-admission/elective admission authorization
- Pre-service review
- Emergency services review
- Transplant management, in conjunction with the Plan’s Transplant Network administrator, Optum Health Transplant Care
- Utilization Management (UM)/concurrent and retrospective review (post- service review)
- Medical management for continuity and coordination of care
- Claims review for service appropriateness
- Focused ambulatory care review
- Clinical support for grievances and appeals
- Quality review

Access Standards

VCHCP adheres to patient care access and availability standards as required by the Department of Managed Health Care (DMHC). DMHC implemented these standards to ensure that members can get an appointment for care on a timely basis, can reach a provider over the phone and can access interpreter services, if needed.

Contracted providers are expected to comply with these appointment, telephone access, practitioner availability and linguistic service standards. VCHCP monitors its providers for compliance with these standards. VCHCP will develop corrective action plans for providers who do not meet these standards.

Access to Medical Care

Type of Care	Wait Time or Availability
Emergency Services	Immediately, 24 hours a day, seven days a week
Urgent Need – No Prior Auth Required	Within 48 hours
Urgent Need – Requires Prior Authorization	Within 96 hours
Primary Care	Within 10 business days
Specialty Care	Within 15 business days
Ancillary services for diagnosis or treatment	Within 15 business days
Mental Health	Within 10 business days
Family Planning Services	A member shall have direct access to OB/GYN

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Other Access Standards

Type of Service	Wait Time or Availability
Telephone Access during normal business hours	A non-recorded answer within 30 seconds (85% of the time) and an abandonment rate of not greater than 5%
Telephone Access after business hours	At minimum, a recorded message that, includes: “If you feel that this is an emergency, hang up and dial 911 or go to the nearest emergency room”
Practitioner After-hours Access	A PCP or designee shall be available 24 hours a day, seven days a week to respond to after-hours member calls or to a hospital emergency room practitioner.
Linguistic Services	Interpreter services available during business hours through bilingual representatives if Language Attestation Form states provider and/or office staff is bilingual.
Hearing Impaired Services	There is access to interpreter services for patients with limited English proficiency and to TTY/TDD or other services for those with hearing impairments. Please see the Plan’s Language Assistance Program Description for more information on this.

Verifying Coverage

Except for emergency services, providers rendering covered services to any VCHCP member should first verify coverage prior to rendering the service. VCHCP does not require a provider to verify a member's eligibility prior to rendering emergency services. A membership card does not guarantee eligibility.

How to Verify a Member is Covered by VCHCP

Verifying the member's eligibility is critical to determine whether a member's enrollment status has changed and to help ensure payment. Providers should contact Member Services at (805) 981-5050 or (800) 600-8247 between the hours of 8:30 am – 4:30 pm, Monday – Friday. If a member is not eligible for benefits on the date of service, then providers will not be paid by VCHCP.

Pre-Admission / Elective

The physician or hospital must obtain authorization for VCHCP hospital admissions from the Utilization Management (UM) department of the Plan at least **five business days prior** to an elective admission.

The member's identification card indicates the appropriate telephone number for providers to call for pre-admission authorization.

The member's PCP is responsible for coordinating the member's care and ensuring that appropriate authorizations are obtained from VCHCP.

VCHCP members are also advised in their *Summary of Benefits and Evidence of Coverage* (EOC) that they are responsible for obtaining or assuring that their physicians (attending or specialist) obtain prior authorization from the Plan for specified services, as indicated in the EOC. **Note: Failure to obtain required pre-admission or admission review may result in partial or total benefit denial.**

Ambulatory Surgeries / Procedures

VCHCP authorization is required for facility and office-based ambulatory surgeries or other procedures.

Facility-based ambulatory surgeries/procedures are performed in an acute care facility on an outpatient basis or in a free-standing ambulatory surgery center. Surgical diagnostic procedures are identified as facility-based ambulatory surgeries/procedures.

Minor ambulatory surgeries/procedures are generally performed in the physician's office setting. If it is medically necessary that they be performed in a facility setting, on an outpatient or inpatient basis, authorization by VCHCP Medical Management will be required.

Emergency Services

If a member needs emergency care, he or she is covered 24 hours a day, 7 days a week, anywhere in the world. An emergency medical condition is one manifesting itself by acute symptoms of sufficient severity such that a prudent layperson who possesses average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in serious jeopardy to the person's health, or with respect to a pregnant woman, the health of the woman and/or her unborn child.

24 hour VCHCP Administrator access is available through Alert Communications by calling the Plan's main telephone number, (805) 981-5050, or (800) 600-8247 and selecting the appropriate number (1) for on-call assistance.

Prior authorization is not required for urgent and emergency services. If these services result in a hospital admission, the attending physician or the hospital is required to notify the Plan within 24 hours or by the end of the first business day following the admission. The member should notify his or her primary care physician as soon as it is medically possible for the member to provide notice.

Weekend and holiday services that result in admissions require notification from the hospital by the next business day. The medical management team reviews the request for admission within 24 hours from receipt of request. Admissions are reviewed for medical necessity, level of care, appropriateness of care, and benefit determination. After the review is completed, the facility and attending physician are notified of the determination by phone, fax and/or in writing within 24 hours of the receipt of decision. The member is notified within 2 business days of decision. The notification includes the initial authorized length of stay or denial of the authorization request.

Follow-up Care After Emergencies

After Emergency or Urgent care services, follow-up care should be coordinated by the primary care physician. Follow-up care with non-participating providers is only covered with a referral from the primary care physician and pre-approval from VCHCP. Whether treated inside or outside VCHCP's service area, the member must obtain a referral before any follow-up care can be provided.

Transplant Coverage

Members referred for major organ transplants (including kidney) are evaluated within VCHCP's Transplant Network program as administered by Optum HealthCare. Certain transplants are eligible for coverage within VCHCP's transplant network, but only if specific criteria are met and prior written authorization is obtained from VCHCP's Medical Management Team. Donor costs for a member are only covered when the recipient is also a VCHCP member. Donor costs are paid in accordance with Medicare coverage guidelines.

Note: Charges incurred as a result of cadaver organ donor evaluation, donor maintenance and organ recovery are directly reimbursable by the Organ Procurement Organization (OPO) according to Federal law and therefore are not paid by VCHCP. These charges may include but are not limited to: lab studies, ultrasound, maintaining oxygenation and circulation to vital organs, and the recovery surgery.

Authorizations for organ or non-organ transplants are required from VCHCP for transplant types such as the following:

- Bone marrow
- Stem cell
- Kidney
- Kidney and pancreas
- Heart
- Heart/lung

- Lung
- Liver
- Pancreas
- Small bowel with or without liver
- Multi-organ transplants (e.g., kidney and liver)

Behavioral Health Services

VCHCP offers Behavioral Health services under a comprehensive program known as “Life Strategies”. The *Life Strategies* program is administered by OptumHealth Behavioral Solutions of California (OHBS-CA or Optum) which coordinates the delivery of all mental health and substance abuse services through a unique network of contracted behavioral health providers. VCHCP contracts with Optum for all behavioral health services, Pervasive Developmental Disorder, and Autism Spectrum Disorder.

The member may arrange for mental health and substance abuse services, without a referral from VCHCP or the member’s PCP, by contacting the Life Strategies program directly at the phone number shown on the member’s ID.

VCHCP may also delegate UM activities to subcontracted entities. OHBS-CA is one of those entities. VCHCP approval of the delegated entity's UM program is based on a review of its policies and procedures, demonstration of compliance with stated policies and procedures, and the ability to provide services to our members in keeping with various accreditation and regulatory requirements. All delegated activities are monitored and evaluated by the VCHCP medical management teams and the appropriate oversight committee to assist the delegated entity in improving its processes. VCHCP retains the authority and responsibility for the final determination in UM medical necessity decisions and ensures appeals related to utilization issues are handled in a timely and efficient manner.

Admission and Concurrent Inpatient Review

VCHCP applies industry standard protocols and clinical care guidelines developed by a company known as “Milliman” (MCG), in the admission and concurrent review process. VCHCP Medical Management reviewers may conduct concurrent review throughout an admission to determine level of care and continued medical necessity. The reviews are conducted by telephone fax or Electronic Medical Record (EMR) review, as appropriate. Nurse reviewers evaluate medical necessity and appropriateness of the level of care, including sub-acute care, and may require supporting medical documentation from the hospital.

If the health plan Medical Director or Physician Reviewer determines that the services are not medically necessary or not at the appropriate level of care, the services may be denied. Only physicians can issue a denial. When applicable, the Medical Director or Physician Reviewer may contact the attending physician to discuss the details of the case. To complete the authorization process and enable timely claims payment, the patient's discharge date must be communicated to the Medical Management Team as soon as possible after the discharge. Additionally, VCHCP may require copies of part or all of the patient’s medical record for the Medical Management Team’s review.

Case Management

Case Management is a collaborative process of assessment, planning, facilitation and advocacy. Determination is made for the best options and services to meet a member's individual health needs through communication and utilization of available resources to promote quality care and cost-effective clinical outcomes.

Case Management is a process designed to more efficiently coordinate services, to provide a delivery methodology for targeted populations at risk, and to promote an interdisciplinary approach to meeting member needs throughout an episode of illness or continuum of care. It includes elements of behavioral change and self-management.

VCHCP licensed healthcare professionals collaborate with members, families, and providers to evaluate the appropriateness of care in the most cost effective setting without compromise to quality care. The goal of VCHCP's Case Management program is to help members regain health and functional capability.

Who Qualifies for Case Management? Case Management is provided to eligible members with specific diagnosis or special health care needs. This includes members with complex acute and chronic diagnoses, or specialty care management needs. These members typically require extensive use of resources and need assistance in navigating the healthcare delivery system. Services are free and voluntary for eligible members. Members consent to being in the program but can opt out at any time. Being in the program does not affect benefits or eligibility.

How Does Case Management Benefit the Member? Case management provides a consistent method for identifying, addressing, and documenting the health care and social needs of our members along the continuum of care. Once a member has been identified for case management, a nurse will work with the member to:

- Complete a comprehensive initial assessment
- Determine benefits and resources available to the member
- Develop and implement an individualized care plan in partnership with the member, his/her physician, and family or caregiver
- Identify barriers to care
- Monitor and follow-up on progress toward care plan goals

How to Make a Referral to Case Management

If a provider identifies a VCHCP member needing case management, or has questions regarding the Case Management Program, the provider can make a direct referral by contacting VCHCP's Case Management Department at (805) 981-5060, or (800) 600-8247. Members can also self-refer to the program online on the Member page at www.vchealthcareplan.org and click on the box labeled "Request Case Management or Disease Management".

Disease Management

The VCHCP Disease Management Program coordinates health care interventions and communications for members with conditions where member self-care can really improve their conditions. VCHCP has two Disease Management programs: Asthma and Diabetes. Members with these chronic conditions can come from referrals from a number of sources including VCHCP staff, practitioners, facility staff, vendors, or self-referral by a Member or caregiver. The Disease Management team works with doctors and licensed professionals at VCHCP to improve these chronic conditions so members get the best possible quality of life and functioning. Included in the Disease Management Program are mailed educational materials, provider education on evidence-based clinical guidelines, member education over the phone, and care coordination. VCHCP has a variety of materials about diabetes and asthma that they give to members to help members better understand their condition and manage their chronic disease.

Being in the program is free and voluntary for eligible members. Members can opt out at any time and being in the program does not affect benefits or eligibility.

How to Make a Referral to Disease Management

For more information or to submit a referral for the Disease Management Program, please call 805-981-5060. Members can also self-refer to the program online on the Member page at www.vchealthcareplan.org and click on the box labeled “Request Case Management or Disease Management”.

Requests for Services/Medical Necessity Determinations

The VCHCP Medical Director has overall responsibility for VCHCP's Medical Management Program. The Medical Director is responsible for Medical Management program implementation, and providing clinical expertise.

The review of requests for service applies to all requests received by the Utilization Management (UM) department. The UM staff works within their scope of practice, in conjunction with the Medical Director and with the oversight of the UM Committee to review requests appropriately. Appropriately licensed health professionals supervise all review decisions. An RN or licensed physician may review and sign a denial based on benefit coverage. A licensed physician reviews and signs every denial that is based on medical necessity. VCHCP utilizes different types of referrals for VCHCP Members:

- Direct Referral
- Direct Specialty Referral
- Standing Referral
- Prior Authorization

Appropriate medical information should be sent to all consulting providers and to the Health Plan for referrals requiring prior authorization.

Examples of medical information:

- Medical history related to the diagnosis
- Results of any diagnostic tests previously performed (including lab and radiology reports)
- Consultation reports related to the diagnosis from other physicians
- Information on referrals pending for other providers

Direct Referrals

No notification to or authorization by VCHCP is required when the following services are ordered by the member's contracted Primary Care Physician (PCP) and provided by an appropriately contracted Provider. (For current contracted providers, check the Provider Directory, on VCHCP's website):

- Most radiological imaging studies
- Plain x-ray, ultrasound, screening and diagnostic mammograms
- All radiological imaging studies at VCMC **except** Bone Scan, CT Angiography, Dexa Scan, MRI/MRA/MRV, Myelogram, PET Scan, Tagged White/Red Cell Scan, VQ Scan, and other Nuclear Medicine studies.

Direct Specialty Referrals

Note: Direct Specialty Referral- MUST be referred by the Primary Care Provider except for certain specialties. Neurologists can directly refer to VCMC Pain Management Specialists. Physiatrists can directly refer to Orthopedics. VCMC Pain Management Specialists and Physiatrists can refer back and forth based on the type of referral and access. In addition, urgent care physicians may directly refer members to Orthopedics for an urgently required consultation.

All VCHCP contracted specialists can be directly referred to by PCPs using the direct referral form [EXCLUDING TERTIARY REFERRALS (e.g. UCLA AND CHLA), PERINATOLOGY AND NON VCMC PAIN MANAGEMENT SPECIALISTS]. Referrals to Physical Therapy and Occupational Therapy also use this form.

Direct Referral to Physical Therapy and Occupational Therapy (PT or OT) include an evaluation and additional seven (7) visits up to a total of eight (8) visits.

Selected Office Procedures and Services are included in the Direct Referrals and do not require prior authorization. Procedures outside of this designation require prior authorization.

For more details on Direct Specialty Referral, please go to the Plan's website:

www.vchealthcareplan.org

Standing Referrals

VCHCP (The Plan) supports and promotes the provision of standing referrals for members with certain chronic conditions or diseases, including but not limited to HIV and AIDS, which require specialized ongoing care. Primary Care Physicians are able to request:

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- Standing referrals to a specialist for members requiring continuing specialty care over a prolonged period of time, and
- Extended access to a specialist for an enrollee who has a life threatening, degenerative or disabling condition that requires coordination of primary care by a Specialty Care Physician (SCP). The SCP is designated to serve as the coordinator of an enrollee's care.

VCHCP supports the development and use of treatment plans to be used in conjunction with the above standing referrals. This treatment plan should be requested using the Plan's Treatment Authorization Request (TAR) form if deemed to be medically necessary by the member's PCP and SCP in question. Treatment plans must describe the course of care. After receiving standing referral approval, the specialist is authorized to provide health care services that are within the specialist's area of expertise and training to the member in the same manner as the PCP. When authorizing a standing referral to a specialist for the purpose of the diagnosis or treatment of a condition requiring care by a physician with a specialized knowledge of HIV medicine, VCHCP will refer the member to an HIV/AIDS specialist who meets California Health and Safety Code criteria. [Ref.: CA Health & Safety Code 1374.16(g)].

If VCHCP does not have an identified HIV/AIDS specialist, the member will be referred to contracted tertiary providers. Determinations based on medical appropriateness are only made by a physician holding an unrestricted license in the State of California. Requests for authorization for standing referrals to specialists are reviewed and the decisions and notifications must be made within the time frames appropriate to the condition of the member (e.g., urgent, non-urgent, concurrent), not to exceed 3 working days of the date after all necessary information is received. [CA Health & Safety Code 1374.16(c)].

PROCEDURE

I. Specialty Referrals

1. Requests for standing referrals will be made by the member's PCP, SCP or the member.
2. The request will be reviewed and agreed to by the PCP and SCP and submitted to the Plan
3. Standing referral requests include:
 - Member diagnosis
 - Required treatment
 - Requested frequency and time period
 - Relevant medical records
4. Extended Access to Specialty Care
 - The member's PCP or SCP will make a request for extended access to specialty care in which the SCP will coordinate the member's primary care.
 - Requests will indicate life threatening, degenerative, or disabling factors involved in the request.
 - Requests will be reviewed and agreed to by both the PCP and SCP and submitted to VCHCP.
 - The requesting PCP or SCP will indicate the health care services that will be Managed by the SCP and detail those that will be managed by the PCP.

II. Extended Specialty Access Guidelines by Medical Category and Condition

VCHCP provides the PCPs and SPCs the following:

- Process for submission of Standing or Extended Specialist Referral Request to VCHCP. The Treatment Authorization Request Form (TAR) will include the language informing the SPCs of the option to request for a standing referral if they are caring for members who need continuing care and who require care over a prolonged period of time. Additionally, the TAR will contain the information on the timeframe for the length of authorization of standing referrals which is 180 days (see TAR form).
- The Plan's authorization letter will include the 180 day timeframe authorization for standing referrals.
- VCHCP will educate primary care and specialty physicians with regards to AB 1181 and the internal policies and procedures in place to ensure compliance with this legislation.

Services Requiring Prior Authorization

The services listed in the VCHCP Prior Authorization Guide require prior authorization by VCHCP, unless provided on an emergency basis. **These services should not be scheduled until final notification of approval is received from the Plan.** The Plan

reserves the right to deny payment for authorized services if it is determined that inaccurate information was provided to support the Authorization request.

Routine prospective review (prior Authorization) is the process of reviewing elective surgeries, referrals, and ancillary services to evaluate the medical necessity, appropriateness, and benefit coverage of the requested procedure or service.

Definitions

Pre-service decision: Any case or service that the Plan must approve, in whole or in part, in advance of the member obtaining medical care or services. Preauthorization and precertification are pre service decisions.

Post-service decision: Any review for care or services that have already been received (e.g. retrospective review). A request for coverage of care that was provided by an out-of-network (OON) practitioner and for which the required prior authorization was not obtained is a post-service decision. Although the Plan requires prior authorization of OON care, post-service decisions include any requests for coverage of care or services that a member has already received.

Concurrent review: Any review for an extension of a previously approved, ongoing course of treatment over a period of time or number of treatments. Concurrent reviews are typically associated with inpatient care or ongoing ambulatory care.

In the course of the Authorization review process, the Plan's UM staff uses a wide range of approved criteria, guidelines, and reference tools to assist in the review of medical appropriateness. These include but are not limited to the following resources:

- Milliman Care Guidelines
- U.S. Department of Health and Human Services clinical practice guidelines
- CMS Medicare Program Guidelines, and
- VCHCP Medical/Drug policies
- Up-to-date
- CDC- Centers for Disease Control
- ACIP- Advisory Committee on Immunization Practices

Benefit coverage is determined through Evidence of Coverage (EOC) information and eligibility verification.

Requests for prior authorization must be received from the PCP on a VCHCP Treatment Authorization Request form (available on the website) and be accompanied by all pertinent medical records. Final decision may be delayed if the supporting documents are not provided with the Treatment Authorization Request. Incomplete documentation includes missing or incorrect diagnosis or ICD 10 codes, CPT and HCPCS codes as well as medical necessity information. If the request is urgent or emergent, the UR nurse informs the provider by fax and /or telephone, of the need for such information. If the request is routine, the provider is informed by fax of the need for additional data.

Note that after hour requests for urgent or emergent pre-service and concurrent services are to be received by telephone only.

Submit Prior Authorization Requests to:

**VCHCP Attn: UM Department
2220 E. Gonzales Rd. Suite 210B
Oxnard, CA 93036**

FAX to: (805) 658-4556 For urgent requests, call: (805) 981-5060

Prior Authorization Review Time Lines:

- VCHCP provides decisions on prior authorization requests in a prompt and timely manner appropriate for the nature of the enrollee's condition.
- Decisions for **routine requests** are not to exceed **five business days** from the Plan's receipt with all information received.
- Decisions for **Urgent requests** are made within **72 hours** from the receipt of request with all information received.
- Decisions for **new prescriptions/medication request** are made within 24 hours from the receipt of request.
- Decisions for **urgent prescription/medication request** are made within 24 hours from the receipt of request.
- Decisions for **other prescription/medication refills** are made within 48 hours from the receipt of request.
- If approved, a faxed Authorization number is issued. By appropriately identifying referrals as urgent or emergent, the PCP allows the Plan's UM staff to review these in a timely manner. Any services rendered after hours or on weekends, when the UM staff is not available, are subject to retrospective review.

Definitions:

Urgent Service/Care Requests means prompt medical services are provided in a nonemergency situation. Examples of urgent care conditions include sore throats, ear infections, sprains, high fevers, vomiting and urinary tract infections. Urgent situations are not considered to be Emergency Medical Conditions.

Urgently Needed Care/Service Requests means any otherwise Covered Service necessary to prevent serious deterioration of the health of a member, resulting from an unforeseen illness, injury, or complication of an existing condition, including pregnancy, for which treatment cannot be delayed until the member is able to see his or her PCP. This includes maternity services necessary to prevent serious deterioration of the health of the member or the member's fetus, based on the enrollee's reasonable belief that she has a pregnancy-related condition for which treatment cannot be delayed until the enrollee is able to see her Provider.

Emergency/STAT Care/Requests means any otherwise Covered Service that a reasonable person with an average knowledge of health and medicine would seek if he or she was having serious symptoms (including symptoms of Severe Mental Illness and Serious Emotional Disturbances of a child), and believed that without immediate treatment, any of the following would occur:

- His or her health would be put in serious danger (and in the case of a pregnant woman, would put the health of her unborn child in serious danger).

- His or her bodily functions, organs, or parts would become seriously damaged.
- His or her bodily organs or parts would seriously malfunction.

Emergency Care includes paramedic, ambulance and ambulance transport services provided through the “911” emergency response system. Emergency Care also includes the treatment of severe pain or active labor. Emergency Care also includes additional screening examination and evaluation by a Physician (or other health care provider acting within the scope of his or her license) to determine if a psychiatric emergency medical condition exists, and the care and treatment necessary to relieve or eliminate such condition, within the capacity of the facility.

Notification

The Health Plan notifies the providers (PCP, Specialist, and/or Facilities; whichever is applicable) via fax of the decision of their Treatment Authorization Request (TAR) within 24 hours of decision for non-urgent and urgent requests. The Health Plan sends approval or denial notification letters to the members via mail regarding the decision of the authorization request within 2 business days of the decision for non-urgent and urgent requests. If the service was denied, the denial letter includes a clear and concise explanation of the reason for denial and a description of the criteria used to deny the request. All letters of denial include a description of how to file an appeal. The returned authorization/decision/TAR form specifies the service authorized, number of treatments, valid from and to dates, and expected length of stay (if appropriate). For questions regarding the status of a prior authorization request, contact VCHCP by phone at (805) 981-5060.

Quality of Care Assessment

VCHCP has a comprehensive review system to address quality-of-care concerns. This process may be initiated by contact from a member, member representative, internal staff or network provider.

Potential Quality of Care Issues (PQI’s) involving clinical judgment are brought to the attention of VCHCP’s Medical Director. Occasionally, through peer review, an evaluation or review of the performance of colleagues by professionals with similar types and degrees of experience may be made.

The Plan’s Quality of Care Nurse assists in the collection of records and composition of the clinical summary of findings and forwards the case for review. The VCHCP Medical Director will review supporting documentation and evaluate it for the existence of a quality-of-care issue. There may be requests to the provider for additional documentation and/or direct contact between the VCHCP Medical Director and the providers involved in the case. The Quality Management Department then prepares the case for Committee review.

Pharmaceutical Management Procedures

The Ventura County Health Care Plan (VCHCP) offers its members an outpatient prescription medication benefit that includes generic and brand-name medications.

VCHCP provides a drug plan that includes a Preferred Drug List (PDL) that is based on Express Scripts’ “High Performance Formulary”. In addition to the generic and brand

name drugs on the PDL, VCHCP also covers many other medications that are classified as “non-preferred”. Medications that are not on the PDL, may be available, through a prior authorization process, and usually require a higher co-pay.

VCHCP utilizes a four-tier drug classification system to determine the amount of the patient’s cost share, or copayment. Drugs classified as either Tier 1, Tier 2, or Tier 4 constitute VCHCP’s Preferred Drug List (PDL). A description of the criteria for the four medication classification tiers follows:

Tier 1 includes all covered generic medications and is available at the lowest copayment to the patient. When appropriate, physicians are encouraged to prescribe generic medications to help patients save money and to help control health care costs. If the patient or physician requests a brand-name medication when a generic is available, in addition to the copay, the patient pays the difference in cost between the brand-name medication and the generic.

Tier 2 includes brand-name medications for which there is generally only a single manufacturing or distributing source. These medications are described in the industry as “single source brands.” The patient pays a higher copayment for these than for Tier 1 generic medications.

Tier 3 includes those covered medications considered to be non-preferred. Generally a medication is considered non-preferred if VCHCP’s Pharmacy Benefit Manager (PBM) has determined that there are one or more therapeutically-equivalent drug alternatives available to the patient on either Tier 1 or Tier 2. The patient pays the highest copayment amount for these medications.

Tier 4 includes “Specialty Medications” Specialty pharmaceuticals, (primarily injectables), represent a relatively new area of prescription medications, one with a small market in terms of patient populations. Yet it is the single most explosive market in terms of growth and cost. In 2009, VCHCP implemented an integrated approach to managing today’s most sophisticated pharmaceuticals. Some of the components include:

- Specialty pharmacy management program, including delivery, pharmacy partnerships and home infusion network coordination to cover all delivery options.
- Utilization analysis and care management to ensure appropriate treatment initiation and continuation.
- Single source for specialty pharmacy efforts to simplify and standardize billing.

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2017 MEMBER COST-SHARE – Commercial & Custom Platinum		
PREFERRED DRUGS		NON-PREFERRED DRUGS
Tier 1	Tier 2	Tier 3
GENERIC	SINGLE-SOURCE BRAND	MULTI-SOURCE BRAND
\$9 Retail Copay	\$30 Retail Copay	\$45 Retail Copay
\$18 Mail-Order Copay	\$60 Mail-Order Copay	\$90 Mail-Order Copay
Tier 4 – Specialty drugs: 10% of cost per Rx, up to \$250 maximum per prescription per month		

2017 MEMBER COST-SHARE – Bronze Plan		
PREFERRED DRUGS		NON-PREFERRED DRUGS
Tier 1	Tier 2	Tier 3
GENERIC	SINGLE-SOURCE BRAND	MULTI-SOURCE BRAND
100% up to \$500 per script after pharmacy deductible (Individual \$500/ Family \$1000)	100% up to \$500 per script after pharmacy deductible (Individual \$500/ Family \$1000)	100% up to \$500 per script after pharmacy deductible (Individual \$500/ Family \$1000)
Tier 4 – Specialty drugs: 100% up to \$500 per script after pharmacy deductible (Individual \$500/ Family \$1000)		

Note: Plan types not listed above may have a different pharmacy cost share.

GENERIC DRUG POLICY

Specific drugs with generic equivalents should be prescribed and dispensed in the generic form. The generic drug will then be available at the Tier 1 level, with rare exceptions.

Providers are reminded of the following:

- 1) When generic substitution conflicts with state regulations or restrictions, the pharmacist must obtain approval from the prescribing medical care professional to use the generic equivalent.
- 2) Pharmacists are reminded that a drug in All CAPs print indicates that one or more (but not necessarily all) forms of the drug are subject to a “Maximum Allowable Cost” or “MAC”. In such a case, the pharmacist should consult the MAC list.
- 3) If a physician indicates “Dispense As Written” (“DAW”), or “Do Not Substitute” (“DNS”), or if a member insists on the brand named product for which an equivalent generic product is available, then the patient must pay the applicable copay plus the cost difference between the brand-name product and the MAC amount.

UNAPPROVED USE OF FORMULARY MEDICATIONS

Medications are generally covered only if they are FDA-approved medications, and are used for non-experimental indications. Non-experimental indications include the labeled indication(s) (FDA-approved) and other indications accepted as effective by the balance of currently available scientific evidence and informed professional opinion. This so-called "off-label" use may place the medication in a higher tier for purposes of determining the copay, or it may be that such use is not a covered treatment, under any condition, in which case the member will bear the entire cost of the prescription.

DRUG QUANTITY LIMITS (DQMs)

Some formulary medications have a Quantity Limit (QL) which is applied against the written prescription. These are designated with QL on the formulary list, corresponding to the Drug Quantity Management program adopted from the Plan’s Pharmacy Benefit Manager, Express Scripts (ESI). If, for instance, the number of doses of a certain drug exceeds the QL, then the member will receive only the allowed number, as shown in the QL list. With some exceptions, QLs are generally the amount allowed over a thirty (30) day period when purchased at a participating pharmacy, or for ninety (90) days if purchased by mail order. (It should be noted that not all drugs are available through mail order. In particular, **injectable drugs and drugs for insomnia, erectile dysfunction, and headaches may not be available by mail order.**)

EXCLUDED MEDICATIONS

Certain medications are specifically excluded from coverage, as noted in the EVIDENCE OF COVERAGE. These include dietary supplements, cosmetics or medications used for cosmetic purposes (i.e. retinoic acid for wrinkles), and medications to treat baldness.

A few drugs are specifically excluded because they are not included in a competitive pricing category (CPC). In each case, alternative drugs are available in that therapeutic category. These excluded drugs are therefore not covered by the Plan.

COPAY DETERMINATION - COMMERCIAL & CUSTOM PLATINUM

The table below describes the copay which will be charged to the patient when filling a prescription. (See above “Generic Drug Policy” for additional conditions and payments which apply when certain non-generic drugs are provided.)

	Type of Prescription	Member’s Co-Pay	Comments
1.	Generic formulation is available and furnished by a network pharmacy.	Tier 1 \$9	\$18 (if a 3 mo. supply by mail)
2.	Preferred Drug but only brand-name or single-source is available.	Tier 2 \$30 or more	\$60 (if a 3 mo. supply by mail) or more
3.	Non-Preferred Drug except if excluded. (See excluded drugs.) Certain drugs must be prior authorized before the prescription will be covered by the Plan.	Tier 3 \$45 or more	\$90 (if a 3 mo. supply by mail) or more
4.	Brand Drug for which a generic preparation is available, but physician and/or member requests the brand rather than the generic.	Member pays, in addition to copay, difference in cost between generic and brand drug, up to 100% of cost of brand drug	Tier 3 copay
5.	Over the counter (OTC) preparation when the equivalent drug is available as a prescription drug and is equal in dosage.	Member pays full cost if the OTC strength of the drug and the strength of the drug by prescription are the same	Although a physician may have written the prescription, this is not a covered benefit if the drug is available OTC at the same strength.
6.	Drugs for treatment of non-covered conditions.	Member pays full cost	Regardless of a drug being on or off the PDL, if a drug is prescribed for a non-covered condition, the member pays full cost.

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	Type of Prescription	Member's Co-Pay	Comments
7.	Investigational Drugs: FDA approved for retail sales, but investigation is for treatment of medical diagnoses not otherwise approved by the FDA (or not supported by informed medical opinion or the peer reviewed medical literature).	Tier 3 copay or actual drug cost	Can only be prescribed for the specific investigation of a condition(s) covered under the Plan; requires prior authorization.
8.	<u>Not</u> FDA approved for retail sales, but is in a formally approved study, (phase II or greater).	Actual drug cost	Not covered by the Plan.
9.	“Specialty Medications”, Please see the Plan’s Specialty Medication Program Description at the Provider Connections website at www.vchealthcareplan.org for more information. VCHCP utilizes CuraScript, a division of Express Scripts, to manage our specialty medication program.	Tier 4 10% of cost per RX, up to \$250 maximum per prescription per month.	Most Specialty Medications require prior authorization and may also be subject to certain Drug Quantity Limits (DQMs). (Does not include injectable(s) given during an office visit.)

All questions and/or requests regarding the Formulary can be address by Express Scripts at 888-327-9791 or online at: <https://www.express-scripts.com/corporate>.

STEP THERAPY (ST)*

VCHCP has implemented step therapy programs for Angiotensin Converting Enzymes (ACE), Angiotensin Receptor Blockers (ARBs), Brand Non-Steroidal Anti-Inflammatory Drugs (NSAIDs), COX 2 inhibitors, Proton Pump Inhibitors (PPIs), Selective Serotonin Reuptake Inhibitors (SSRIs), Other Antidepressants (SNRIs), Cholesterol Lowering medications (statins) and certain diabetic medications.

*If an exception from the step therapy protocol is sought, prior authorization should be obtained. If a physician or member insists on non-authorized use of a step therapy drug, the member will be responsible for 100% of the prescription cost.

SUBMITTING EXCEPTION REQUESTS TO THE PREFERRED DRUG LIST

Members can request individual exceptions to the preferred drug list through their primary care practitioner or directly to VCHCP by phone or through the VCHCP website. Practitioners can then submit a Prior Authorization (PA) Request on the member’s behalf

to VCHCP for consideration. Practitioners may themselves also initiate a petition for consideration of coverage. Practitioners should include relevant clinical history, previous medications prescribed and tried, contraindications or allergies to medications and any other contributory information deemed useful. VCHCP will review the information according to the PA policy. Because the PA requests are reviewed by the Plan and not the PBM, if the medication does not meet criteria on initial review by the nurse reviewer, it is reviewed by a physician reviewer and special consideration is given to the exception request based on the information received. The physician reviewers are also available by phone to discuss an exception request with the practitioner.

ANNUAL REVIEWING AND UPDATING OF PROCEDURES

The VCHCP Pharmacy and Therapeutics Committee (P&T Committee) meets quarterly and, at least annually, reviews and updates, as appropriate, the Pharmaceutical Management policies and procedures. The formulary is reviewed semiannually and updated as appropriate. Procedures and the formulary may also be updated on an ongoing, as needed basis when new pharmaceutical information is received or requested by members, pharmacists, practitioners or other sources, using the expertise of the PBM.

The most up-to-date ESI website formulary information is accessible to members and providers at www.express-scripts.com and through a link on the VCHCP website at www.vchealthcareplan.org. For any other inquiries, call Express Scripts at 800-753-2851.

PRIOR AUTHORIZATION PROGRAM

POLICY:

Prior authorization is the utilization review process to determine whether a requested prescription drug meets VCHCP's clinical criteria for coverage.

Using a tiered system, most medications on Tiers 1, 2 and 3 are available by proper prescription from the physician to the Plan member. These prescriptions, whether for preferred or non-preferred drugs as set forth in the Plan's Preferred Drug List (PDL), are filled upon presentation of a valid prescription at a participating pharmacy. There are, however, certain medications that require Prior Authorization (PA). The Pharmacy and Therapeutics (P&T) Committee may designate any preferred or non-preferred medication as requiring PA by the Plan. Generally these medications are high cost medications or medications for which medical necessity must be demonstrated. These are so labeled and documented in the PDL. Prior authorization encourages the appropriate and cost-effective use of a drug by allowing coverage only when certain conditions are met. The PDL has been compiled by the Pharmacy Benefit Manager (PBM) after extensive research and adopted by VCHCP's P&T and Quality Assurance (QA) Committees using, in part, current medical findings, FDA-approved manufacturer labeling information, pharmaceutical class coverage and medication availability to treat disease and medical conditions. Additionally, the PDL is regularly reviewed with additions and deletions made as appropriate.

Please see the Plan's Prescription Medication Benefit Program Description and the Prior Authorization of Medication Program Policy (they can be found at the Provider Connections section of our website at www.vchealthcareplan.org) for more information on specific drugs or drug classification that require prior authorization. Prior

authorization is not required for non-preferred drugs based on their non-preferred status alone. However, the Plan, upon review with the P&T Committee, may institute prior authorization criteria for specific drugs.

PROCEDURE:

Submissions:

When a physician requests a medication that has a prior authorization (PA) requirement, the pharmacy or the prescribing physician must contact the Plan explaining the medical necessity of the request, including past therapeutic attempts, contraindications to medications and allergies when applicable.

Requests for authorization during regular business hours may be made by telephone, in writing, or by facsimile by the pharmacy or the prescribing physician to the Plan. The DMHC approved pharmacy prior authorization form is available for submission convenience. Requests for emergency authorization during regular working hours are handled by the Plan's UM staff.

Requests for emergency authorization after regular business hours are to be made by telephone by the pharmacy or the prescribing physician to the Plan's voice mail system which connects the caller to the Plan's answering service, available 24 hours a day, 7 days a week. The service will contact the Plan Medical Director and/or designated Administrator on call having the authority to approve medications requiring prior authorization.

Timelines for Decisions:

The Plan processes requests for prescriptions according to the following timelines:

- For new prescriptions: Within 24 hours of the Plan's receipt of the request.
- For urgent refills: Within 24 hours of the Plans receipt of the request.
- For other refills: Within 48 hours of the Plans receipt of the request.

Review/Decision Making:

The Ventura County Health Care Plan (VCHCP) policy is that the Medical Management (MM) staff may apply the adopted criteria to approve drugs requiring prior authorization. All requests that do not meet criteria are referred to the Medical Director or his/her designee for a decision.

The VCHCP Medical Director or Utilization Review physician approves or denies all requests for prior authorization of Preferred or Non-Preferred Drug List medications that do not meet the prior authorization criteria established by the Pharmacy & Therapeutics Committee.

The Medical Director or his/her designee may do any or all of the following before making a coverage decision for a requested medication requiring prior authorization:

- Review Pharmacy and Therapeutics Committee criteria for prior authorization of medication in question.
- Review patient medical records that document the need for the requested drug, the efficacy of any sample medications tried and the contraindications or ineffectiveness of other drugs tried, including allergies.

- Review correspondence from the prescribing physician supporting the requested drug.
- Review the patient's prescription drug usage history under the Plan.
- Review written information about the requested drug provided by the Plan's pharmacy benefit manager, in Up-to-date or any other source of reliable information or provided by the drug manufacturer.
- Contact the following individuals for additional information to support the medical necessity of the request.
 - the prescribing physician
 - a qualified clinical pharmacist (with at least 3 years clinical experience or completion of a pharmacy residency) or
 - a qualified physician (a board-certified physician with special training or expertise in an area related to the proposed use of the drug)

When the authorization is approved, the Plan's Medical Management (MM) staff either enters the authorization in the PBM's network system or contacts the PBM's customer service representative by phone, who then enters the authorization in the PBM's network system. The Plan's MM staff completes the authorization process in its medical management/documentation system, known as QNXT, where a fax approval notification is created and faxed to the provider and a member approval letter is created and mailed to the member.

When the request for prior authorization comes from the dispensing pharmacy, the Plan's MM staff informs the dispensing pharmacy via phone that authorization for the medication is in place.

When an authorization is denied, the denial shall be made in writing to the member and to the prescribing physician and will include the following information:

Reason for the denial and

- a. Any alternative drug or treatment offered by the Plan
- b. Information to the member regarding the Plan's Appeal process.
- c. Information to the member regarding the Independent Medical Review (IMR) process if the drug is denied because it is experimental or investigational
- d. Name and contact information for person who made the denial decision

SECTION 5 – BILLING & PAYMENT

Overview

In general, for VCHCP contracted providers, VCHCP follows Medicare guidelines for billing and payment. Please refer to your contract for additional information.

This section outlines our billing procedures and requirements for submitting claims. It also describes VCHCP claims payment policies for specific situations, such as coordination of benefits (COB), and explains VCHCP's process for resolving billing issues. Further information regarding billing procedures and requirements for submitting claims is located on VCHCP's website at [www.vchealthcareplan.org/ Provider Connection/Provider Disclosures](http://www.vchealthcareplan.org/Provider%20Connection/Provider%20Disclosures).

Claims Submission

Electronic Submission

Providers may submit their claims electronically through Office Ally, a claims clearinghouse, at no charge. For information regarding how to contact Office Ally, you may call the VCHCP Member/Provider Services Department at (805) 981-5050, contact Office Ally directly at (360) 975-7000, or visit their website at info@officeally.com or www.officeally.com

Refer to the HIPAA ANSI Implementation Guide and California 837 Transaction Companion Guide for the specific regulatory requirements for submitting claims electronically.

Paper Submission

In order for the Plan to process paper claims quickly, accurately, and efficiently, providers should submit a properly completed—"Centers for Medicare and Medicaid (CMS) 1500 Form" or its successor as adopted by the National Uniform Claim Committee (NUCC). Please send claims to:

VCHCP
Claims Processing Dept.
2220 E. Gonzales Rd. #210-B
Oxnard, CA 93036

Reference Materials

Reference materials are available to ensure appropriate coding. Various types of codes used in submitting claims are listed below.

ICD-9-CM (International Classification of Diseases) Codes

Used to identify diagnoses and procedures. The diagnostic codes are three-digit codes with one or two-digit subcategories, and the procedure codes are two-digit codes with one or two-digit subcategories. Precise coding with appropriate subcategories is essential to present a clear clinical picture of the patient's condition. The ICD-9-CM coding system is to be used when billing service dates prior to October 1, 2015. Refer to the section

titled “ICD-10-CM (International Classification of Diseases) Codes” for further information regarding the usage of ICD-9-CM and ICD-10-CM.

ICD-10-CM (International Classification of Diseases) Codes

For service dates on or after October 1, 2015, Ventura County Health Care Plan (VCHCP) transitioned to accepting and processing claims with the International Classification of Diseases, 10th Revision, Clinical Modification (ICD-10-CM) coding system as mandated by the U.S. Department of Health and Human Services to replace the International Classification of Diseases, 9th Revision, Clinical Modification (ICD-9-CM) coding system.

Claims submitted to VCHCP with service dates of October 1, 2015 and after must meet the ICD-10-CM/ICD-10-PCS guidelines outlined below regardless of paper or Electronic Data Interchange (EDI) submission avenues.

Outpatient Services

- **Institutional claims:** Submit diagnosis codes on claims with service dates of 10/01/15 and after using ICD-10-CM.
- **Professional claims:** Submit diagnosis codes on claims with service dates of 10/01/15 and after using ICD-10-CM.
- Do not overlap claim service dates of September 2015 with October 2015 for either outpatient Institutional or Professional services. This will cause the claim to be rejected/denied for invalid diagnosis code(s). Split-bill the claim services by month.

Inpatient Services

- **Institutional claims (diagnosis codes):** Submit diagnosis codes on claims with service dates of 10/01/15 and after using ICD-10-CM.
- **Institutional claims (procedure codes):** Submit procedure codes on claims with service dates of 10/01/15 and after using ICD-10-PCS.
- For admissions with a claim Admission “From” Date in September 2015 and a claim Discharge “Thru” Date of October 1, 2015 and later, the claim is required to be submitted with ICD-9-CM (diagnosis) and ICD-9-PCS (procedure) codes. Otherwise the claim will be rejected/denied for invalid diagnosis and/or procedure codes.
- Do not include a combination of ICD-9-CM and ICD-10-CM or ICD-9-PCS and ICD-10-PCS codes. The claim will be rejected if coding systems are combined.
- Inpatient Professional services (1500 form) should not contain an overlap of service dates spanning September 2015 and October 2015. Split-bill the services by month. Otherwise the claim will be rejected/denied for invalid diagnosis.

CPT (Current Procedural Terminology) Codes

Five-digit codes for identifying medical services and procedures performed by physicians are also required for billing certain outpatient and inpatient services on the institutional UB-04 CMS 1450 Form (for example, billing outpatient surgery under revenue code 360). If applicable, two-digit (or two-character) modifiers should be included in addition to the five-digit CPT code to report that a service or procedure has been altered or modified by some specific circumstance without altering or modifying the basic definition or CPT code. The American Medical Association publishes the CPT code manual. Use this resource when billing for the following types of services:

- Surgical procedures
- Radiological/pathological/diagnostic tests
- Patient visit (rendered in office, emergency room, hospital or other facility setting)

Anesthesia CPT Codes

ASA Guide (American Society of Anesthesiologists' Relative Value Guide) Codes

These five-digit CPT codes used to bill for anesthesia services must include modifiers to identify the patient's physical status. Time units (15 minute = 1 unit) are also added to the basic value. Be sure to bill minutes for electronic submissions. For complete details on coding, please refer to the latest version of the ASA Relative Value Guide.

HCPCS (Healthcare Common Procedure Coding System)

HCPCS (Healthcare Common Procedure Coding System) National Level II, published by the AMA, is a listing of codes and descriptive terminology used for reporting the provision of supplies, materials, injections, and certain services and procedures. If applicable, two-character modifiers should be included in addition to the HCPCS to report that a service or procedure performed has been altered by some specific circumstance, but not changed in its definition or code. (For example, a modifier could be used to indicate whether Durable Medical Equipment was rented or purchased.)

Average Wholesale Price (AWP):

AWP refers to the average wholesale price of the pharmaceuticals dispensed per National Drug Code (NDC) code, based upon provider's purchased package size, as set forth in a nationally recognized pricing source such as First Data Bank and its supplements or other such sources, as determined by VCHCP. *For new drugs or drugs that are unclassified, Provider must bill using the appropriate revenue code, unclassified J Code (HCPCS) with description in order to receive payment.* A pharmaceutical invoice may be required to establish reimbursement of any new or unclassified drugs.

Claim Attachments

Detail of Charges

Occasionally, VCHCP may ask you to provide an itemization of charges (e.g., exception service claims). In those instances, your prompt cooperation will expedite the payment process.

Coordination of Benefits (COB) Documentation

When VCHCP is the patient's secondary carrier, attach proof of the primary carrier's payment or denial and a copy of the other carrier's identification card (see Coordination of Benefits information further in this manual).

Workers' Compensation

If the Workers' Compensation carrier has not already accepted the case as work related, and is not yet providing coverage, then when a member is injured or an illness arises out of, or in the course of, any employment for salary, wage or profit, and the medical expenses incurred are covered by any workers' compensation law, occupational disease law or similar legislation, VCHCP and/or the provider may assert a lien to the extent permissible by law.

If applicable, VCHCP and/or the provider should:

1. Provide covered services
2. Reimburse referral providers
3. Investigate for possible workers' compensation liability
4. Obtain the consent of the member to pursue reimbursement rights to the extent permissible under the law

Coordination of Benefits (COB)

Coordination of Benefits (COB) is a provision used to address instances when a member is covered by more than one group health plan. In California, COB is regulated by state law.

Health plans, like VCHCP, which have COB provisions in their contracts with providers are required to make those provisions consistent with the standard provision set forth in subdivision (b) of Section 1300.67.13 of the California Code of Regulations (CCRs).

Additionally, the National Association of Insurance Commissioners (NAIC) has developed model COB regulations, which have been adopted by California.

COB ensures that:

- benefits paid by multiple group health plans do not exceed 100 percent of eligible expenses, and
- there is no duplication of benefits, and
- there is a consistent order of payment when a member has multiple group health plans, and

- coverage is provided to the member without considering the existence of any other plan

Please refer to [Appendix E](#) for a complete discussion of the rules relating to COB.

Timely Submission of Claims and Appeals

Claims appeals by providers must be in writing and must specify the basis for the appeal. Particular payment or procedural issues that are in question must be cited. Unless otherwise specified in your contract, the following time frames for submission of claims and appeals will apply:

- New claims: within 180 calendar days from the last date of service or the time specified in your contract; whichever is greater.
- Claims requiring coordination of benefits with another carrier: within 180 days of the primary carrier's payment determination.
- Initial Appeals: within 365 calendar days of the last VCHCP payment or decision, or the time frame specified in your contract; whichever is greater.
- Final Appeals: within 65 business days of VCHCP's initial determination, or the time specified in your contract; whichever is greater.

Note: VCHCP will deny any claims or appeals involving a billing dispute or other contractual dispute that are not submitted within these time frames.

Provider Appeals and Dispute Resolution

As of January 1, 2004, in response to state regulations, VCHCP has established fair, fast and cost-effective procedures to process and resolve Provider Appeals. VCHCP's Provider Dispute Resolution Process is accessible to both contracting and non-contracting providers.

Definitions & Procedures

Appeal

A written notice to VCHCP challenging, appealing or requesting reconsideration of a claim, or requesting resolution of billing determinations, such as bundling/unbundling of claims/procedures codes or allowances, or disputing administrative policies and procedures, administrative terminations, retroactive contracting, or any other contract issue.

Bundled Appeal

A written notice identifying a group of substantially similar multiple claims that are individually numbered using the VCHCP assigned Internal Control Number (ICN) to identify each claim contained in the bundled appeal; or a written notice, submitted to the designated Provider Appeal address, identifying a group of substantially similar contractual Appeals that are individually numbered using the section of the contract and sequential numbers that are cross-referenced to a document or spreadsheet. (For example, 'Section I A #1, Section I A #2', etc.)

Provider Inquiry

A telephone or written request for information, or question, regarding claim status, submission of corrected claims, member eligibility, payment methodology rules (logic, bundling/unbundling logic, multiple surgery rules), Medical Policy, coordination of benefits, or third party liability/workers compensation issues submitted by a provider to VCHCP, or a telephone discussion or written statement questioning with the way VCHCP processed a claim (i.e. incorrect units of service, incorrect date of service, clarification of payment calculation).

Receipt Date

The working day when the Provider Appeal is first delivered to the Plan.

Appeal Determination Date

The date VCHCP's written determination in response to a Provider Appeal is deposited in the U.S. Mail or faxed to the provider's office.

Date of Contest, denial, notice, or payment

The date VCHCP's claim decision, or payment, is electronically transmitted or deposited in the U.S. mail.

Unjust or unfair payment pattern

Any practice, policy or procedure that results in repeated delays in the processing and/or in the correct reimbursement of claims as defined by applicable regulations.

Unfair billing pattern

Engaging in a demonstrable and unjust pattern of bundling/unbundling or up-coding of claims, and/or other demonstrable and unjustified billing patterns.

Good cause for untimely submission of claims

Circumstances reasonably beyond the control of the provider that prevented the timely submission of a claim would be considered 'good cause'. Examples of circumstances beyond the control of the provider, include, but are not limited to:

- Patient gave incorrect health coverage/insurance information (copy of an incorrect ID card);
- Patient was unable to provide health coverage/insurance information (patient was comatose, the patient expired before the information could be obtained, etc.);
- Natural disaster/acts of nature (fire, flood, earthquake, etc.);
- Acts of war/terrorism;
- System wide loss of computer data (system crash)

Examples of circumstances that do not constitute 'good cause':

- Claim was sent to the wrong carrier (Blue Cross instead of VCHCP), but the provider had the correct health coverage/insurance information;
- The claim was submitted timely, but VCHCP was unable to process because the claim was not a complete claim (did not contain the minimum data elements to enter the claim into the system, i.e., missing a subscriber number)

Providers have an obligation to be responsible for appropriate timely billing practices. Provider requests to review a claim timely following denial because the provider believes there was good cause for the delay will be handled as a Provider Appeal.

Reporting unfair billing pattern

VCHCP may report providers who VCHCP believes are engaging in unjust billing patterns to the DMHC toll-free provider line **(877) 525-1295** or email address, plans-providers@dmhc.ca.gov

Reporting of unfair payment patterns

Providers may report instances in which the provider believes a plan is engaging in an unfair payment pattern to the DMHC's Office of Plan and Provider Relations. Toll-free provider line **(877) 525-1295**, email address, plans-providers@dmhc.ca.gov.

Unjust payment pattern

The following are examples/scenarios of unjust payment patterns:

- Imposing a claims filing deadline for the receipt of a claim that is less than 90 days for contracting providers or 180 days for non-contracting providers after the date of service, and imposing a date less than 90 days from the primary payers determination, when paying as a secondary/tertiary payer.
- Failing to forward at least 95% of misdirected, non-emergent capitated claims to the appropriate capitated entity within 10 business days of receipt, over the course of any three-month period.
- Failing to accept at least 95% of late claim submissions over the course of any three-month period, when the provider submits proof of Good Cause.
- Failing to notify providers at least 95% of the time, in writing, and within 365 days of the payment date of our intent to recover an overpayment over the course of any three-month period.
- Failing to notify providers, at least 95% of the time over the course of any three-month period, of the claim, name of the patient, date of service and a clear explanation of the basis upon which an overpayment was made.
- Failing to allow providers 30 business days, at least 95% of the time over the course of any three-month period, of their right to appeal a request to recover an overpayment.
- Failing to acknowledge at least 95% of claims within 2 business days for electronic submissions, or 15 business days for paper submissions.
- Failing to provide an accurate and clear written explanation of the specific reasons for denying, adjusting or contesting a claim at least 95% of the time over any three-month period.
- Including provider contract provision inconsistent with any of the applicable regulations of the Health and Safety Code or CCR, title 28 on three (3) or more occasions over the course of any three-month period

- Requesting medical records on more than 3% of claims, excluding professional emergency services and care claims, over the course of any 12-month period.
- Requesting medical records on professional emergency services and care claims on more than 20% of the claims, over the course of any 12-month period.
- Failing to process HMO claims within 45 business days at least 95% of the time over the course of any three-month period.
- Failing to automatically pay interest penalties when processing exceeds the specified time frames at least 95% of the time over the course of any three-month period.
- Failing to notify providers of the appeal process when a claim is denied, adjusted or contested at least 95% of the time over the course of any three-month period.
- Failing to acknowledge initial provider appeals within 15 business days of receipt at least 95% of the time over the course of any three-month time period.
- Failing to resolve and provide written determination of initial provider appeals within 45 business days of receipt.
- Rescinding or modifying an authorization for health care services after the provider has rendered the service on three or more occasions over the course of any three-month period.

Provider Contracts

VCHCP informs contracting providers initially upon contracting, or upon change of the Provider Appeal Resolution Process, of the procedures for submitting a Provider Appeal, including:

- Identity of the office responsible for receiving and resolving Provider Appeals
- Mailing address
- Telephone number
- Directions for filing an Appeal
- Directions for filing bundled Appeal
- The timeframe in which VCHCP will acknowledge receipt of the Appeal

Explanation of Benefits

Explanations of Benefits (EOB) inform providers of the availability of VCHCP's Provider Appeal Resolution Process and provide instructions for filing a Provider Appeal. An EOB is sent each time VCHCP processes a provider submitted claim. EOBs are issued to both contracting and non-contracting providers.

VCHCP's Appeal Process

The following information outlines the process VCHCP has established to allow providers to submit Appeals.

VCHCP's Provider Services Department is responsible for the Provider Appeal Resolution Process.

VCHCP's Senior Management is responsible for:

- The maintenance of the Provider Dispute Resolution Process;
- Review of the Provider Dispute Resolution operations;
- Noting any emerging patterns to improve administrative capacity, VCHCP Provider Relations, claim payment procedures and patient care;
- Preparing the required reports and disclosures.

Provider Appeals - Reports

VCHCP will track each Provider Appeal and will report the following information in the Annual Plan Claims Payment and Dispute Resolution Mechanism Report:

- Information on the number and type of Provider Appeals received.
- A summary of the disposition of all Provider Appeals, including a description of the types, terms and resolution.

Internally, VCHCP will review the Provider Appeal data to identify emerging patterns and trends, and initiate the appropriate action.

Levels

VCHCP's Provider Appeal Resolution Process consists of two levels: Initial and Final.

CCR, title 28, Section 1300.71.38 requires health plans to offer an appeal process. State law does not require health plans to offer two levels.

Address for submission of an initial appeal

Initial Appeals must be submitted in writing to the following address:

**Ventura County Health Care Plan
Appeal Resolution Office
2220 E. Gonzales Road, Suite 210-B
Oxnard, CA 93036**

Required Information/Appeal

An Appeal must be submitted in writing and contain the following information:

- The provider's name
- The provider's identification number - the VCHCP provider identification number (NPI) and/or the provider's EIN
- Contact information - mailing address and phone number
- The patient's name, when applicable
- The patient's VCHCP member number, when applicable
- The date of service, when applicable
- A clear explanation of the issue the provider believes to be incorrect. Supporting documentation (including medical records) should be included when applicable.

Appeals submitted with incomplete information

Appeals that are lacking the required information will be returned to the provider.

VCHCP will return the Appeal and notify the provider of the missing information necessary to categorize the submission as a Provider Appeal.

The original Appeal, along with the additional information identified by VCHCP, should be resubmitted to VCHCP within 30 business days of the provider's receipt of the notice requesting the missing information.

VCHCP will not require the provider to resubmit claim information or supporting documentation that has been previously received as part of the claims adjudication process.

Timeframe for submitting appeal

Initial appeals must be submitted within 365 days, (or the time specified in the provider's contract, whichever is greater), of VCHCP's date of contest, denial, notice or payment.

In the event the appeal is regarding the lack of a decision, the appeal must be submitted within 365 days, or the time specified in the provider's contract, whichever is greater, after the time for contesting or denying a claim has expired.

Appeals alleging a demonstrable and unfair payment pattern by VCHCP must be submitted within the timeframes indicated above based on the date of the most recent action or inaction by VCHCP.

Timely filing of appeals

If a contracted provider fails to submit an Initial Appeal or Final Appeal within the required timeframes, the provider:

- Waives the right for any remedies to pursue the matter further
- May not initiate a demand for arbitration or other legal action against VCHCP
- May not pursue additional payment from the member

In instances where the provider's contract specifies timeframes that are greater than the timeframes stipulated in VCHCP's Provider Appeal Resolution process, the provider's contract takes precedence.

Timeframe for providers to contest VCHCP's request to refund an overpayment

Providers must submit notice contesting VCHCP's refund request within 30 business days of the receipt of the notice of overpayment.

The provider's notice contesting VCHCP's refund request must include the required information for submitting an appeal as well as a clear statement indicating why the provider believes that the claim was not overpaid. A provider's notice that it is contesting VCHCP's refund request will be identified as an Appeal and handled in accordance with VCHCP's Provider Appeal Resolution Process.

Timeframe for acknowledgement of Appeals

VCHCP will acknowledge the receipt of each Appeal within 15 business days of the receipt of the written Appeal.

Timeframe for resolving Appeals

VCHCP will resolve Appeals within 45 business days of the receipt of the Appeal.

In the event the original Appeal was returned to the provider due to missing information, the amended Appeal will be resolved within 45 business days of the receipt of the amended Appeal.

If the resolution of the Appeal results in additional monies due to the provider, VCHCP will issue payment, including interest when applicable, within 5 business days of the date of the written response notifying the provider of the Appeal resolution.

Resolution

VCHCP will provide a written determination to each Appeal, stating the pertinent facts and explaining the reason(s) for the determination.

The written determination of an initial Appeal will notify providers of their right to file a Final Appeal.

Submitting Appeals on a member's behalf

Appeals submitted on a member's behalf will be treated as a member grievance and handled within the member grievance process. VCHCP will verify with the member that the provider has been authorized to submit an Appeal (member grievance) on the member's behalf.

Final Appeals

Providers that disagree with VCHCP's written determination may pursue the matter further by initiating a Final Appeal.

To initiate a Final Appeal, providers must, within 65 business days of VCHCP's initial determination, or the time specified in the provider's contract, whichever is greater, submit a written request to the following address

**Ventura County Health Care Plan - Appeal Resolution Office
2220 E. Gonzales Road, Suite 210-B
Oxnard, CA 93036**

The Final Appeal must be submitted in accordance with the required information for an Appeal.

VCHCP will, within 45 business days of receipt, review the Final Appeal and respond in writing, stating the pertinent facts and explaining the reason(s) for the determination.

Arbitration

If, after participating in the initial and final levels of the Appeal Resolution Process, the provider continues to disagree with VCHCP's payment or determination, the provider entity may submit the matter to binding arbitration as applicable and as outlined in the provider's contract.

Appendix A - Guidelines for Timely Access to Non-Emergent Services

In 2010 the California Department of Managed Health Care (DMHC) finalized regulations that became effective on January 18, 2011 and require health plan patients to be seen by their providers in a timely manner. The primary intent of these regulations and the underlying legislation is to ensure that health plan enrollees have access to needed health care services in a timely manner. To accomplish this, the regulations require HMOs such as VCHCP to ensure that their networks of providers have the capacity and availability to provide care to enrollees within certain timeframes for various levels of care.

There are several terms contained in the legislation that providers and insurers need to be familiar with, including the following:

“Advanced access” means the provision of appointments with a primary care physician, or other qualified primary care provider such as a nurse practitioner or physician’s assistant, within the same or next business day from the time an appointment is requested, and advance scheduling of appointments at a later date if the enrollee prefers not to accept the appointment offered within the same or next business day.

“Appointment waiting time” means the time from the initial request for health care services by an enrollee or the enrollee’s treating provider to the earliest date offered for the appointment for services inclusive of time for obtaining authorization from the Plan or completing any other condition or requirement of the Plan or its contracting providers.

“Preventive care” means health care provided for prevention and early detection of disease, illness, injury or other health condition.

“Triage” or “screening” means the assessment of an enrollee’s health concerns and symptoms via communication, with a physician, registered nurse, or other qualified health professional acting within his or her scope of practice and who is trained to screen or triage an enrollee who may need care, for the purpose of determining the urgency of the enrollee’s need for care.

“Urgent care” means health care for a condition which requires prompt attention, consistent with subsection (h) (2) of Section 1367.01 of the Act.

Ventura County Health Care Plan Provider Operations Manual

These regulations require each plan to ensure that its contracted provider network has adequate capacity and availability of licensed health care providers to offer enrollees appointments that meet the following timeframes for non-emergency services:

TYPE OF SERVICE	ROUTINE CARE	URGENT CARE	
		Prior Auth NOT Required	Prior Auth Required
Primary Care	10 business days	48 hours	96 hours
Specialist Care	15 business days	48 hours	96 hours
Ancillary Services	15 business days	48 hours	96 hours
Mental Health	10 business days	48 hours	96 hours

Note: When it is necessary for a provider or an enrollee to reschedule an appointment, the appointment is required to be “promptly rescheduled in a manner that is appropriate for the enrollee’s health care needs, and ensures continuity of care consistent with good professional practice”. Appointments for follow-up care are required to be scheduled according to the same standards as initial appointments.

After Hours Services

The VCHCP expects all contracted providers to maintain appropriate after-hours services, or provide members with clear instructions on how to obtain appropriate after-hours services via a telephone answering service or recorded message. The Plan audits all new providers and performs an annual “after-hours survey” of its contracted providers and audits the following:

- Does the office have a telephone answering machine and/or an answering service/office staff that will inform the caller on how to call 911 in the event of an emergency?
- Are there instructions for how the caller may obtain urgent or emergency care and/or how to contact the on-call physician?
- Does the message provide the regular business hours?
- Does the message give information regarding the length of wait for a return call from the provider?
- If the provider has self-identified as being bilingual; is the message bilingual (for the purposes of this survey the Plan was only concerned with those providers who self-identified as being a Spanish speaker and only checked to see if the message was recorded in English and Spanish)?

Providers found to be out of compliance with the above will receive written notice from the Plan. The VCHCP will then re-survey those providers’ between 30 and 60 days from the date of the notice.

Appendix B - Member Grievances, Complaints and Appeal Process

Purpose and Scope

Ventura County Health Care Plan (VCHCP) has a Grievance and Appeals Program that meets the requirements of the Knox-Keene Health Care Service Plan Act of 1975 and the regulations promulgated thereunder. VCHCP will ensure that a mechanism exists to process Member Grievances and Appeals in a consistent manner.

VCHCP recognizes that, under certain circumstances, our performance or that of our contracted providers, may not agree with or match our members' expectations. Therefore, the Plan has established a system for the Plan members to file a grievance/complaint or appeal. We endeavor to assure our members of their rights to voice complaints and appeals of any adverse determination of complaints, and to expedite resolutions. This policy refers to complaints and grievances and their appeals. For coverage appeals regarding delay, denial, or modification of services based on a determination in whole or in part that the service is not medically necessary, please refer to the Appeal Process for Medical Necessity in Appendix C.

Guidelines

VCHCP has developed its grievance/complaint and appeal system so that it provides reasonable procedures that ensure adequate consideration of our members' grievances/complaints and appeals in accordance with statutory requirements. (The Plan seeks the approval of its process by the Department of Managed Health Care [DMHC]).

The Services Administrator of the Plan, Cathy Glueckert, has been designated as having primary responsibility for the Plan's grievance and appeal system to ensure appropriate oversight and administration of all aspects, including monitoring, reviewing, and reporting to identify emerging patterns of grievances and improve plan policies and procedures.

VCHCP documents research, interim and final responses to the member, as well as telephonic and written responses to members' concerns through the grievance/complaint and appeals process. This ensures that all concerns by Plan members are resolved in a fair and timely manner. This process has been developed to address various levels of concerns by members including general inquiries, grievances, and appeals procedures. It also facilitates the categorizing of member concerns via an online system.

It often requires a series of events to truly identify one overall situation or trend. Accordingly, the Grievance/Complaint and Appeals tracking system provides information that empowers the Plan with the opportunity to continually monitor and improve the level of care and services it provides to members. Trends are analyzed and reported quarterly to the Quality Assurance (QA) and Standing Committees.

Members have the right to voice a concern about the benefits, services, access, continuity of care and quality of care provided by the Plan, Plan Providers, and Plan Facilities. VCHCP, its Plan Providers and Facilities will not discriminate against members who have chosen to file a grievance. The fact that a member submits a grievance/complaint or appeal to VCHCP will not affect in any way the manner in which the member is treated by VCHCP or receives services from contracting providers. If VCHCP discovers that

any improper action has been taken against such member or subscriber, immediate steps will be taken to rectify the situation and prevent such conduct in the future.

1. The Plan shall conduct a thorough investigation of the incident.
2. The Plan shall determine whether or not adverse action was taken against such member or subscriber.
3. The Plan shall take disciplinary action against the offending Plan employee(s) who took adverse action against such member or subscriber.
4. If no adverse action was taken against such member or subscriber, the Plan shall close the investigation and save all logs, interview notes, the conclusion, and all other evidence gathered as part of the investigation in a secure electronic storage to protect private information which may have been accumulated during the investigation.

Enrollees are encouraged to review VCHCP's benefits and exclusions carefully prior to selecting our benefit Plan for their health care needs. Certain health care services, for example, purely cosmetic surgery, are not covered benefits of the Plan. Services, medications, devices, or procedures that do not represent approved medical practices are also excluded from coverage by VCHCP. All such determinations for coverage are made by the Medical Director of the Plan.

Definitions

Grievance/Complaint: A grievance/complaint means a written or oral expression of dissatisfaction regarding the Plan and/or provider by either a Plan member or their representative, including the member's provider(s). Where the Plan cannot distinguish between a grievance/complaint and an inquiry, the Plan will consider the inquiry to be a grievance/complaint.

Grievances/Complaints may include, but are not limited to, concerns about quality of care, access to care, delay of care, and denial or modification of health care services.

Appeals: Any oral or written requests made by a member to reconsider an initial determination. The member or other representative may file appeals. Appeals may be requested for a denial of claims, denial of benefit or other denial of coverage. Appeals may also be applicable for some complaints when a member receives an adverse decision.

Expedited Review: When there is a time sensitive situation for cases involving an imminent and serious threat to the health of the member, including, but not limited to severe pain, potential loss of life, limb, or major bodily function.

Resolved: Grievance/complaint or appeal has reached a final conclusion (no pending member appeals).

Procedure for Grievances/Complaints

Information regarding the grievance/complaint procedures for receiving and resolving grievances/complaints is available in the Plan's Evidence of Coverage (EOC), which is made available to all eligible members via the Plan's website and/or in print upon request by calling Member/Provider Services at (805) 981-5050 or (800) 600-8247. Members

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may register grievances/complaints with VCHCP by form, letter, fax, online, or by calling or writing:

**Ventura County Health Care Plan
2220 E. Gonzales Rd. Ste. 210-B
Oxnard, CA 93036
(805) 981-5050 or (800) 600-VCHP**

For Language Assistance services or cultural assistance, call VCHCP at (805) 981-5050. For TDD/TTY for the hearing impaired, call (800) 735-2929 to communicate in English or (800) 855-3000 to communicate in Spanish. In addition, the Plan's website provides an on-line form that an enrollee may use to file a grievance on-line via a secure portal. The link to this on-line Grievance Form is found on the right-hand side of the Plan's web portal page, (www.vchcp.org/grievance). Forms may also be obtained by calling Member Services at (805) 981-5050 or (800) 600-8247.

A member may appoint an Authorized Representative, such as a legal guardian, conservator or relative, who can also submit a grievance to the Plan.

This appointment must be in writing. Members can obtain an Authorized Representative form to submit by calling Member Services or visiting VCHCP in person.

The following persons may be submitted and considered as an authorized representative:

- A friend, relative or legal representative
- A parent of a child under 18, except that the child must appoint the parent as authorized representative if the child has the legal right to control release of relevant information
- A court- appointed guardian, except the ward must appoint the court-appointed guardian as authorized representative if the ward has the legal right to control release of relevant information
- A court-appointed conservator
- An agent under a currently effective health care proxy, to the extent provided under state law

A member's provider can also submit grievances to the Plan and/or the DMHC.

VCHCP encourages the informal resolution of problems and complaints, especially if they resulted from misinformation or misunderstanding. However, if a complaint cannot be resolved in this manner, a formal Member Grievance Procedure is available.

The Member Grievance Procedure is designed to provide a meaningful, dignified and confidential process for the hearing and resolving of problems and complaints. VCHCP makes available complaint forms at its offices and provides complaint forms to each Participating Provider. A member may initiate a grievance in any form or manner (form, letter, fax, telephone call, or online) to the Member Services Department, and when VCHCP is unable to distinguish between a complaint and an inquiry, the communication shall be considered a complaint that initiates the Member Grievance Procedure. Members are advised, via statement on the grievance/appeals form, that after participating in the process for at least 30 days, they may submit the grievance to the

DMHC for review. Further, the member is advised via statement on the grievance/appeals form, that they do not need to complete the 30 day process if the case involves an imminent and serious threat to the health of the patient, including, but not limited to, severe pain, the potential loss of life, limb, or major bodily function.

The Plan provides written acknowledgment of a member's grievance and ongoing investigation within five (5) days of receipt, unless the grievance is received by telephone and can be resolved within the same day. For those grievances/complaints that can be resolved within 5 days or less of receipt, the written statement to the complainant of the resolution will stand as the receipt of notification and resolution. The Plan provides for the receipt, handling and resolution of grievances, including a written response to a grievance, within thirty (30) days. The Plan may extend the timeframe for resolution of appeals by up to 14 calendar days if the member requests the extension or if the Plan shows there is need for additional information and that the delay is in the member's best interest. If additional time (beyond the 30 days) is needed to resolve the complaint, procedures are in place to notify the member (in writing) prior to the 30th day. If, however, the case involves an imminent and serious threat to the health of the member, including, but not limited to, severe pain, potential loss of life, limb, or major bodily function, the Plan shall provide an expedited review. The Plan shall provide a written statement on the disposition or pending status of a case requiring an expedited review no later than three (3) days from receipt of the grievance. See expedited review section below.

Quality of care complaints are elevated to the Medical Director, or designee, to review for Potential Quality Issue (PQI). Additionally, the Service Administrator may request review by the Medical Director or designee for any other appropriate issue. When appropriate, VCHCP will bring complaints to the attention of providers, request appropriate corrective actions from them, and follow-up to see that necessary changes have been implemented.

Members may file grievances for up to 6 months (180 calendar days) following any event or action that is subject to the members' dissatisfaction.

Records of grievances/complaints are maintained by the Plan for no less than 5 years. Copies of information that the Plan is required to maintain for five years shall include a copy of all medical records, documents, evidence of coverage and other relevant information upon which the Plan relied to reach its decision.

Expedited Review of Grievances

The Plan's grievance/complaint system includes procedures for the expedited review of grievances for time sensitive situations for cases involving an imminent and serious threat to the health of the patient, including but not limited to, severe pain, potential loss of life, limb, or major bodily function.

When the Plan is notified of a case that requires urgent review, the Plan will advise the Plan member of their right to notify the DMHC of the urgent grievance by letter sent via U.S. mail within 3 business days. Further, the Plan shall, no later than 3 days from the receipt of the urgent grievance, notify the Plan member and the DMHC in writing of the disposition or pending status of the urgent grievance.

Grievances and Appeals Pertaining To Terminally Ill Members

If a grievance/complaint is received pertaining to a member with a terminal illness, the Plan shall provide the member with a statement setting forth the specific medical and scientific reasons for denying the coverage.

The Plan shall provide the member with a description of alternative treatments, services and/or supplies covered by the Plan.

The member shall also, within five (5) days, be provided with copies of the Plan's Grievance procedures and Complaint forms, with an offer to attend a conference with the Plan within 30 calendar days.

Plan Personnel Responsible for Handling Urgent Grievances

Contact Person:

Cathy Glueckert, Services Administrator

During Business Hours:

Member Services: (805) 981-5050

Toll-free: (800) 600-VCHP

E-mail: Cathy.Glueckert@ventura.org

Office: (805) 981-5039

Or

Christina Turner, Manager – Customer Services

During Business Hours:

Member Services: (805) 981-5050

Toll-Free: (800) 600-VCHP

E-mail: Christina.Turner@ventura.org

Office: (805) 981-5086

Alternate Contact Person:

Faustine DeLaCruz, RN, UR Manager

During Business Hours:

Utilization Management (UM) Services: (805) 981-5060

Toll-free: (800) 600-VCHP

E-mail: Faustine.DelaCruz.@ventura.org

Office Phone: (805) 981-5058

Medical Director:

Catherine Rajala Sanders, M.D., Medical Director

During Business Hours:

Customer Service: (805) 981-5050

Toll-free: (800) 600-VCHP

E-mail: Catherine.Sanders@ventura.org

Office Phone: (805) 981-5024

Appeal Rights

Members are notified of their appeal rights for grievances/complaints at several times during the grievance process.

VCHCP provides members with written responses to complaints. Responses are to include a clear and concise explanation of the reasons for the response.

- For grievances involving the delay, denial, or modification of services based on a determination in whole or in part that the service is **not medically necessary**, VCHCP will, in its written response, describe the criteria used and the clinical reasons for its decision, including all criteria and clinical reasons related to medical necessity (which will be substantiated by our medical necessity criteria). It also includes that the determination may be considered by the Department's independent medical review system. An application will be provided with an envelope addressed to the DMHC in Sacramento.
- For grievances involving a decision delaying, denying, or modifying health care services based in whole or in part on a finding that the proposed health care services are not a covered **benefit** under our Plan contract, VCHCP, in its written response, will clearly specify the provisions in the Evidence of Coverage that exclude that coverage.

The Department of Managed Health Care (DMHC) maintains a program that assists consumers with resolution of problems and complaints involving HMOs. Members are advised of the following in 12-point bold type on the initial Grievance/Complaint form, in their Evidence of Coverage (EOC), on the VCHCP five-day notification correspondence, disposition correspondence, and in notices relating to denial of services or appeals.

“The Department of Managed Health Care is responsible for regulating health care service plans. If you have a grievance against your health plan, you should first telephone your health plan at **(805) 981-5050** and use your health plan's grievance process before contacting the department. Utilizing this grievance procedure does not prohibit any potential legal rights or remedies that may be available to you. If you need help with a grievance involving an emergency, a grievance that has not been satisfactorily resolved by your health plan, or a grievance that has remained unresolved for more than 30 days, you may call the department for assistance. You may also be eligible for an Independent Medical Review (IMR). If you are eligible for IMR, the IMR process will provide an impartial review of medical decisions made by a health plan related to the medical necessity of a proposed service or treatment coverage decisions for treatments that are experimental or investigational in nature and payment disputes for emergency or urgent medical services. The department also has a toll-free telephone number **(1-888-hmo-2219)** and a TDD line **(1-877-688-9891)** for the hearing and speech impaired. The department's Internet website (<http://www.hmohelp.ca.gov>) has complaint forms, IMR application forms, and instructions online.”

Members are advised at the time of the complaint that they do not need to complete the 30 day process if the case involves an imminent and serious threat to the health of the patient, including, but not limited to, severe pain, the potential loss of life, limb, or major bodily function.

A member's legal guardian, conservator, or relative can also submit appeals to the Plan or the DMHC.

Members are expected to use the HMO's appeal procedures first to attempt to resolve any dissatisfaction. Please see the section below on appeals for details. If the appeal has been unresolved for more than 30 days or was not satisfactorily resolved by the Plan, the member may seek assistance from DMHC.

Providers, including participating and non-participating physicians may assist the member in submitting a complaint to the department for resolution and may advocate the member's cause before the department. No provider may be sanctioned by VCHCP for giving such assistance to a member.

The DMHC has 30 days from receipt of an IMR request to send the member and VCHCP a written notice of their determination (which the DMHC refers to as the notice of "final disposition of the grievance"). (See IMR Policy, QA Program).

There are some services that, if disputed, are not eligible for the IMR system. However, the DMHC is given the authority to require VCHCP to promptly offer the service, or reimburse the member for it if they determine that it was a covered service and was medically necessary.

Members are also allowed to request voluntary mediation with VCHCP prior to exercising their right to submit a grievance to the DMHC. The DMHC still allows the member to submit a grievance to them after completion of mediation.

Appeals

Appeals made to the Plan for adverse decisions of grievances and complaints are handled primarily by the Member Services Department. Appeals arising from adverse coverage decisions are generally handled by the UM department and are addressed in the Appeals section, Appendix C. Members are notified of the appeals process in the EOC, which is made available to all eligible members via the Plan's website and/or in print upon request by calling Member/Provider Services at (805) 981-5050 or (800) 600-8247. This information includes the Plan's local and toll-free number, access to telephone relay systems, notification of linguistic services and cultural assistance. Also included is the DMHC's appeals process, the Independent Medical Review System and the DMHC's toll-free number and website address.

A member, a member's legal guardian, conservator, or relative can submit an appeal to the Plan or to the DMHC.

VCHCP will retain records of appeals for a period of at least 5 years. Information that the Plan is required to maintain includes a copy of all medical records, documents, evidence of coverage and other relevant information upon which the Plan relied to reach its decision.

As stated in the Appeal Rights section, members are expected to use the HMO's appeal procedures first to attempt to resolve any dissatisfaction. If the appeal has been unresolved for more than 30 days or was not satisfactorily resolved by the Plan, the member may seek assistance from DMHC.

Appeals may be received by the Plan in writing, by telephone, fax or online through the website.

Appeal determinations will be made within 30 days of the receipt of the appeal. The member will be notified in writing, by that time, of the Plan's decision.

As with a grievance, an adverse decision on a first appeal/second level review can be appealed further. If the first appeal has been unresolved for more than 30 days or was not satisfactorily resolved by the Plan, the member may seek assistance from DMHC, as stated in the appeal notification letter and the EOC.

For urgent appeals, the same process applies as with an expedited review. See section on Expedited Review.

MEDIATION

The member and dependents may request that an unresolved disagreement, dispute or controversy concerning any issues including the provision of medical services, arising between the member and dependents, the member's heirs-at-law, or personal representative, and VCHCP, its employees, Participating Providers, or agents undergo voluntary mediation.

If a member seeks voluntary mediation, he or she must send written notice to VCHCP's Administrator (See Key Health Plan Contact section of this manual) containing a request for mediation and a statement describing the nature of the dispute, including the specific issue(s) involved, the cost of services involved, the remedy sought, and a declaration that the member has previously attempted to resolve the dispute with VCHCP through the established Grievance Procedure. VCHCP will agree to such reasonable request for mediation and any request for binding arbitration (both as described below). The use of mediation services shall not preclude the right to submit a grievance or complaint to the DMHC (as described below) upon completion of mediation.

REVIEW BY THE DEPARTMENT OF MANAGED HEALTH CARE

After participating in the grievance process for at least thirty (30) days, or less if the member believes there is an imminent and serious threat to his or her health, including, but not limited to, severe pain, the potential loss of life, limb, or major bodily function, and the DMHC agrees there is such a threat to his or her health, or in any other case where the DMHC determines that an earlier review is warranted, the member may register unresolved disputes for review and resolution by the DMHC. Included in member communication, as appropriate, is the required language pursuant to Knox-Keene Health Care Act section 1368.02(b) and California Health and Safety Code section 1300.68(d) (4).

Arbitration

1. Mandatory arbitration is the final process for the resolution of any dispute that may arise. As a condition of enrolling with VCHCP, the member is agreeing to have any issue or dispute concerning the provision of services under the Agreement, including any issue of medical malpractice, decided by a neutral, independent arbitrator and the member is giving up his or her right to a jury or court trial.

2. Arbitration shall be conducted according to the California Arbitration Act, Code of Civil Procedures, and 1280 et seq. This will apply to any controversy, as noted above, including and not limited to the employer, subscriber, family members (whether minors or adults), the heirs-at-law or personal representatives of a subscriber or family member or network providers (including any of their agents, employees or providers).
3. Each party shall bear its/his own arbitration costs and attorney's fees, with the parties equally sharing the fees of one arbitrator.
4. The decision of the arbitrator shall be final and binding.
5. If the member seeks arbitration, he or she must send written notice to VCHCP's Administrator containing a demand for arbitration and a statement describing the nature of the dispute, including the specific issue(s) involved, the cost of services involved, the remedy sought, and a declaration that he or she has previously attempted to resolve the dispute with VCHCP through the established Grievance Procedure.

Interface to the Plan's Quality Assurance Process

In order to evaluate opportunities for administrative practice improvements, referral process improvements, and educational opportunities for members and physicians, VCHCP collects and analyses member satisfaction information, including, but not limited to, appeals and grievance/complaint data, summary of processes and summary of disposition and outcomes. On a quarterly bases, VCHCP reports the results of these evaluations to the Quality Assurance and the Standing Committees which may make recommendations for change based on these results. The Plan reports results and requests that QA Committee make recommendations for changes, if any, based on these results.

Application

None of the information presented in this policy pertains to provider dispute resolution. See Provider Dispute Resolution Mechanism (PDRM) document for details of this process.

Member Grievance and Appeal Process Severity Coding

Purpose & Scope

The following modifications to the Member Grievance and Appeal Process would establish a mechanism to identify and quantify potential quality of care issues contained in member complaints and grievances and in Plan identified Possible Quality Issues (PQIs), thereby insuring that complaints of significant severity are addressed expediently by appropriate professionally licensed clinical staff.

The severity rating is based on a numeric system ranking, the lowest severity with the lowest number, with "Level 1" as an inquiry or minor service level complaint and "Level 4" as a catastrophic event where the member possibly may have suffered injuries or was harmed.

Policy

Level 1: Minor inquiry or service level concern or PQI

Minor injuries and/or service complaints with very low potential for member harm and/or service delivery issue. Examples are inquiries from the member regarding services or claims, and clarification of benefits.

Level 2: Moderate inquiry or service level concern or PQI

Moderate level complaints and/or events where the basis of the concern comprises a moderate potential for member harm or service delivery issue. Examples are complaints regarding access, unable to obtain an appointment with, quality of care concern regarding care rendered, communication problems with staff, claims (in excess of 60 days), poor staff resulting in delay of care or service.

Level 3: Serious inquiry or service level concern or PQI

Serious concerns and/or events which comprise serious potential for member harm as a result of the event. Examples are complaints regarding significant delays in accessing physician care and/or services, requests for change of Primary Care Provider (PCP) due to problems establishing and/or maintaining an effective physician/patient relationship, quality of care, diagnosis and/or treatment problems, claims (member receiving collections notices and has gone to collection.)

Level 4: Very Serious and/or Sentinel Events

Very serious level events are those where actual member harm and/or injury was associated with the event. Examples are complaints related to denials of emergency services resulting in death or serious disability from failure of the provider to render appropriate care, completed suicide or near-suicide, gross negligence, etc.

Level 1 grievances are investigated by member services staff with assistance, as necessary, from a QA nurse.

Level 2-4 grievances are initially investigated by a QA nurse and if found to be a significant quality of care issue, are elevated to the Medical Director, or designee, for additional investigation and review.

Appendix C - Appeals for Medical Necessity

Purpose:

To provide a consistent plan for thorough, appropriate and timely resolution of member appeals, including pre-service, post-service, expedited and external appeals.

Definitions:

An appeal is a request to change a previous decision made by the Plan. Appeals may be requested for a denial of claims, denial of benefit, rescission of coverage or other denial or modification of coverage. Appeals may also be applicable for some complaints when a member receives an adverse decision. See Grievances/Complaints and Appeals, Appendix B.

A pre-service appeal is a request to change an adverse determination for care or services that the Plan must approve in advance of the member obtaining care or services.

A post-service appeal is a request to change an adverse determination for care or services that have already been received by the member.

An expedited appeal is a request to change an adverse determination for urgent care. Urgent care is any request for medical care or treatment with respect to which the application of the period for making non-urgent care determinations could result in the following circumstances:

1. Could seriously jeopardize the life or health of the member or the member's ability to regain maximum function, based on a prudent layperson's judgment, or
2. In the opinion of a practitioner with knowledge of the member's medical condition, would subject the member to severe pain that cannot be adequately managed without the care or treatment that is the subject of the request.

An external appeal is a request for an independent, external review of the final adverse determination made by the Plan through its internal appeal process.

Guidelines:

Members have the right to request appeals regarding modified or denied benefits and services. Ventura County Health Care Plan (VCHCP), its Plan Providers and Facilities will not discriminate against members who have chosen to file an appeal. The fact that a member submits an appeal to VCHCP will not affect in any way the manner in which the member is treated by VCHCP or receives services from contracting providers. If VCHCP discovers that any improper action has been taken against such a member, immediate steps will be taken to rectify the situation and prevent such conduct in the future.

Enrollees are encouraged to review VCHCP's benefits and exclusions carefully prior to selecting our benefit Plan for their health care needs. Certain health care services, for example, purely cosmetic surgery, are not covered benefits of the Plan. Services, medications, devices, or procedures that do not represent approved medical practices are also excluded from coverage by VCHCP. All such determinations for coverage are made by the Medical Director of the Plan.

The Plan does not rescind coverage with respect to an individual once the individual is covered, except in the case of an act, practice or omission that constitutes fraud, or an intentional misrepresentation of material fact as prohibited by the terms of the coverage.

VCHCP documents research, interim and final responses to the member in a fair and timely manner.

Members, member's legal guardian, conservator, relative or physician may submit an appeal.

With the exception of denials based on limitations or conditions contained in the Evidence of Coverage (EOC), only a licensed physician or other licensed health care professional who is competent to evaluate the specific clinical issues can modify or deny requests for services. Appeals are reviewed by a licensed physician, with appropriate expertise, who was not involved with the original decision and is not a subordinate of such individual.

A physician reviewer is available to physicians to conduct telephone discussions regarding the determinations that are made based on medical appropriateness.

An external independent medical review process is in place for members disputing a final determination made by the Plan through its internal appeal process.

An external medical review process is in place for cases involving such issues as new technology, new usage of prior technology, potential experimental or investigational protocol or uncertain effectiveness of a treatment.

The Plan has procedures in place that allow members to have continued coverage under their medical benefit pending the outcome of an internal appeal.

Procedure for Processing Appeals:

Pre-service and Post-service

With all Plan actions taken on requested services, including approvals, modifications and denials, written notification is sent to members via mail and to providers via fax, unless no fax is available, then it is sent by mail. Denial letters include the reason for the denial and the specific Utilization Management (UM) criteria or benefits interpretation, along with the application of that information to the specific patient. This notification also explains the member's appeal rights and procedure for appeals, including the right to submit written comments, documents or other information relating to the appeal and the ability to obtain specific criteria upon request.

Information regarding the appeals procedures, both internal review and independent external review, is also available in the Plan's Evidence of Coverage, sent to all eligible members at the time of enrollment and annually thereafter. Information regarding the right to independent external review includes the state's Department of Managed Health Care's (DMHC) toll-free telephone and TDD numbers as well as the department's Internet website address.

Members may register appeals with VCHCP by calling or writing:

Ventura County Health Care Plan
2220 E. Gonzales Rd. Ste. 210-B
Oxnard, CA 93036
(805) 981-5050 or (800) 600-VCHP

For Language Assistance services, call VCHCP at (805) 981-5050. For TDD/TTY for the hearing impaired, call (800) 735-2929 to communicate in English or (800) 855-3000 to communicate in Spanish.

Members with limited English proficiency who call the Plan are provided with information regarding the appeal process and given assistance during the appeal process through a bilingual staff member or through a language assistance line.

A member has a right to representation at any time during the referral process. The right of the member to be represented by an attorney or any other representative, for any UM decision including an internal or external appeal, is clearly stated in the denial notification letter. This appointment must be in writing. Members can obtain an Authorized Representative form to submit by calling Member Services or visiting VCHCP in person.

The following persons may be submitted and considered as an authorized representative:

- A friend, relative or legal representative
- A parent of a child under 18, except that the child must appoint the parent as authorized representative if the child has the legal right to control release of relevant information
- A court-appointed guardian, except the ward must appoint the court-appointed guardian as authorized representative if the ward has the legal right to control release of relevant information
- A court-appointed conservator
- An agent under a currently effective health care proxy, to the extent provided under state law

The Plan allows for submission of appeals up to 180 calendar days following an adverse determination. This information is included in the denial determination letter sent to the member and provider.

Upon receipt of an appeal, the information is logged into the medical management /documentation system known as QNXT and assigned a category code under call tracking. The date of the appeal is the date in which it was received by the Plan, whether or not all necessary information is available at that time. If a non-urgent appeal is received by fax outside of normal business hours, the date of receipt is the next business day. This procedure does not apply to urgent or expedited appeals which are described below. Appeals for decisions other than medical necessity or benefit coverage are handled by Member Services. Appeals for medical necessity and benefit coverage denial determinations are handled by the UM department and are forwarded from Member Services to a qualified health professional in UM. If an appropriate same or similar specialist is not available at the Plan, the case is contracted out to an independent review organization (IRO) for appeal determination.

A new determination is made regarding the reversal or maintenance of the modification or denial status within 30 calendar days of receipt of the pre-service appeal. For post-service appeals, a decision is made within 30 working days of obtaining all necessary medical information, not longer than 60 calendar days from receipt of the appeal. The only exception to this time frame would be if the member voluntarily agrees to extend the appeal time frame.

The appeal determination letter includes the specific reason(s) for the decision, in easy to understand language; reference to the benefit provision, clinical guideline or protocol upon which the decision was based; application of this information specific to the member; notification of the ability for obtaining the benefit provision, clinical guideline or protocol; as well as any documentation available relevant to the appeal, free of charge, upon request. The letter also includes the title of each reviewer for a benefit appeal or, for the medical necessity review, the title, qualifications/credentials and specialty of the clinical reviewer(s) and the title for each nonclinical reviewer and a statement of participation in the appeal process. The names of these individuals will be provided upon request.

VCHCP appeals process includes one internal appeal level. Further appeal rights are included in the notification letter, including information regarding the process to appeal to the DMHC for an Independent Medical Review as follows:

“The Department of Managed Health Care is responsible for regulating health care service plans. If you have a grievance against your health plan, you should first telephone your health plan at **(805) 981-5050** and use your health plan's grievance process before contacting the department. Utilizing this grievance procedure does not prohibit any potential legal rights or remedies that may be available to you. If you need help with a grievance involving an emergency, a grievance that has not been satisfactorily resolved by your health plan, or a grievance that has remained unresolved for more than 30 days, you may call the department for assistance. You may also be eligible for an Independent Medical Review (IMR). If you are eligible for IMR, the IMR process will provide an impartial review of medical decisions made by a health plan related to the medical necessity of a proposed service or treatment coverage decisions for treatments that are experimental or investigational in nature and payment disputes for emergency or urgent medical services. The department also has a toll-free telephone number **(1-888-hmo-2219)** and a TDD line **(1-877-688-9891)** for the hearing and speech impaired. The department's Internet website (<http://www.hmohelp.ca.gov>) has complaint forms, IMR application forms, and instructions online.”

Note: this is the same information found in the member's EOC.

In rare instances, the Plan may refer an appeal directly to an independent review organization without conducting an internal review. However, this is only possible with the member's permission.

For appeals that are overturned, the determination letter includes the decision and the date. For any modifications of the original decision, all necessary adjustments are made including reversals of decision to modify or deny requests for services processed within VCHCP's approved time frame and financial adjustments made in the next regularly scheduled VCHCP check processing.

Determinations on behavioral health treatment appeals are delegated to OptumHealth Behavioral Solutions of California (AKA “Life Strategies”). Such delegation accepts that a licensed psychiatrist renders all denial and appeal decisions related to medical necessity determinations or a licensed psychologist can render such decisions for outpatient services rendered by non-physician practitioners.

Determination letters can be sent translated into Spanish when appropriate.

Expedited Appeals

An expedited appeal is reserved for denials of an urgent nature, when a delay in a decision might seriously jeopardize the life or health of a member. Expedited appeals may include procedures, medications, admissions, continued stay or other health care services for a member who has received emergency services, but has not been discharged from a facility. An expedited appeal is therefore not appropriate for post-service appeals.

Expedited appeals are submitted by phone or in writing, through member services. A member, the member’s representative or a practitioner acting on behalf of the member may request an expedited appeal. The intake, investigation and documentation processes are the same as for pre-service and post-service appeals, however, the time frame for a decision is accelerated. Members and practitioners are notified orally or in writing of the decision in a timely manner appropriate to the severity and urgency of the condition but not longer than 72 hours, inclusive of weekends and holidays, after the appeal is received. The 72 hour timeframe begins immediately upon receipt of the request. The Plan provides for an Administrator on call, 24 hours a day/7 days a week, to respond to such requests. The practitioner is sent a confirmation of the decision within 24 hours of the decision via phone call or fax notification. The member is then sent a confirmation of the decision in writing within two (2) working days of making the decision. The written notification provides the same information as described above for pre-service and post-service appeals.

Continued Coverage

In the event of a denial, reduction or termination of previously authorized services, it is VCHCP’s policy to allow members to have continued coverage of their medical benefits pending the outcome of an internal appeal. This applies, however, only to concurrent care decisions and not to requests for extension of the course of treatment beyond that already approved.

Interface to the Plan’s Quality Assurance Process

In order to evaluate opportunities for administrative practice improvements, referral process improvements, and educational opportunities for members and physicians, VCHCP collects and analyses member satisfaction information, including, but not limited to, modification and denial data, appeals data including overturns and upholds, summary of processes and summary of disposition and outcomes. VCHCP reports the results of these evaluations to the appropriate internal committee(s) such as Member/Provider Experience (MPEC), Utilization Management, Quality Assurance and the Standing Committees, which may make recommendations for change based on these results.

Appendix D - Medical Record-Keeping Policies

Purpose: The medical record communicates the patient's past medical treatment, past and current health status, and treatment plans for future health care. VCHCP demonstrates organizational accountability by establishing and promulgating medical records standards. VCHCP has medical record-keeping standards and ensures that practitioners in its network comply with these standards.

- To ensure that the treatment rendered to members and the response to treatment is consistently documented;
- To provide a process of quality documentation;
- To ensure that the information is current and detailed;
- To reflect the safe and effective transfer of care between providers;
- To maintain confidentiality of medical information;
- To ensure standards for the availability of medical records are appropriate to the practice site; and
- To ensure that VCHCP has a process to assess and improve, as needed, the quality of medical record keeping.

Scope

The standards are applied to the medical records of all VCHCP members.

Providers comply with all approved medical record-keeping policies and procedures.

These standards apply to:

- a. All the services provided by the physician provider;
- b. All ancillary services provided; and
- c. All diagnostic tests ordered by the practitioner (such as reports for home health services, specialty physicians, hospital discharges, and physical therapy).

Confidentiality

Pursuant to federal requirements, all medical information is considered confidential. Refer to the Quality Management Program Description on Confidentiality.

Policy

VCHCP requires medical records to be maintained in a manner that is current, detailed and organized and permits effective and confidential patient care and quality review.

Maintenance of records

- 1) Each member's medical record must be individually retrievable.
- 2) The record is secured to maintain confidentiality and comply with regulation, including the Confidentiality of Medical Information Act & the Health Insurance Portability and Accountability Act (HIPAA).

- 3) There is a section for patient identification, which includes demographic information such as address, phone number & emergency contacts.
- 4) Every page in the record contains the member name & ID number.
- 5) All entries contain author identification and date, and are legible to someone other than the writer.

Documentation

- 1) Medication allergies are noted in a consistent, prominent place. Otherwise, no known allergies or history of adverse reactions are noted.
- 2) Problem lists are used for members with significant illnesses and/or conditions which require ongoing monitoring.
- 3) The record contains a list of current medications.
- 4) The record contains a completed health history.
- 5) The record contains past medical history which includes serious illnesses, accidents, operations and hospitalizations.
- 6) The record demonstrates history and physical examination that is pertinent to presenting symptoms.
- 7) The record demonstrates a working diagnosis that is consistent with findings.
- 8) The record demonstrates treatment plans that are consistent with diagnosis.
- 9) The record demonstrates no evidence of inappropriate risk by diagnostic or therapeutic procedures.
- 10) The record contains consultation notes as applicable.
- 11) The record demonstrates up-to-date preventive health and health maintenance screening.
- 12) The record demonstrates up-to-date or appropriate history related to immunizations.
- 13) The record includes health education. For Pediatrics, anticipatory guidance teaching is included.
- 14) The record demonstrates appropriate follow-up when appointments are missed.
- 15) The record demonstrates follow-up of unresolved problems on subsequent visits.
- 16) The record demonstrates notation regarding follow-up care, calls, or visits.

GUIDELINES: Medical Record Maintenance

Purpose

- To ensure the medical records are maintained according to regulatory and accreditation requirements,
- To maintain confidentiality of medical information, and
- To reflect the safe and effective transfer of care between providers.

Scope

The guidelines are applied to the medical records of all VCHCP members. All personnel of VCHCP and provider offices adhere to these guidelines.

Policy

- 1) The provider offices will comply with the VCHCP approved medical record guidelines and medical record-keeping standards.
- 2) Providers are required to maintain a centralized medical record for each member who receives care or service. The individual record includes appropriate documentation of the care and/or services provided.
- 3) Detailed mental health and substance abuse records may be filed separately in order to maintain confidentiality.
- 4) Providers are required to maintain policies and procedures, which address confidentiality. Each member care site will have a copy of the policy.
- 5) The member medical record is maintained in a current, detailed organized manner which reflects effective care of the member and facilitates quality review.
- 6) Medical record-keeping standards, medical record maintenance guidelines and quality improvement goals for the VCHCP are distributed to all network practice sites.
- 7) Practice site medical record protocols will specify appropriate charting and filing of information in the medical record.
- 8) Practice sites will have systems in place to ensure the availability of the medical records. The system must include a tracking mechanism that ensures the medical records of scheduled patients are available to practitioners at each encounter.
- 9) Practice sites will have systems for accurate and timely filing of medical record information. The system must include a mechanism to incorporate information between patient visits.
- 10) The medical record is a legal document and its contents shall be maintained in a confidential manner.
- 11) VCHCP has protocols that protect the information found in the medical record and clearly state how records are released. The protocols include:
 - a. Patients are afforded the opportunity to approve or refuse the release of identifiable personal information, except when such release is required by law;

- b. Identifiable medical record information, when used for Utilization Management, Quality Assurance Management and case management activities is protected from disclosure;
 - c. Identifiable claims information is protected from disclosure;
 - d. The dissemination of confidential patient information by phone, written requests, etc.
 - e. The requests of medical record information from regulatory agencies; and
 - f. California regulations regarding medical record information. VCHCP's protocols include, but are not limited to:
 - The protection and security of confidential medical information to comply with the HIPAA legislation
 - The release of medical information to a county coroner in specified circumstances and disclosure to others in other circumstances
 - The release of certain confidential information to the non-covered custodial parent of a covered child
 - The disclosure of confidential information to independent review organizations and their reviewers without specific authorization by the patient
- 12) The practice site will develop protocols to store, purge and archive medical record information. These protocols must also be in compliance with California regulatory requirements which state, in part, that every provider of health care who creates, maintains, preserves, stores, abandons, destroys, or disposes of medical records shall do so in a manner that preserves the confidentiality of the information.
- 13) The Plan will conduct periodic audits on medical record protocol compliance and recommend actions for performance improvement.
- 14) Follow-up evaluations will be conducted for practice sites that have implemented improvement activities.
- 15) VCHCP member medical records are made available to authorized reviewers (e.g., regulatory and accreditation surveyors).

Appendix E - Rules Governing Coordination of Benefits (COB)

Coordination of Benefits (COB) is a provision used to address instances when a member is covered by more than one group health plan. In California, COB is regulated by state law.

Health plans in California which have COB provisions in their contracts with providers are required to make those provisions consistent with the standard provision set forth in subdivision (b) of Section 1300.67.13 of the California Code of Regulations (CCRs).

Additionally, the National Association of Insurance Commissioners (NAIC) has developed model COB regulations, which have been adopted by California.

When a VCHCP member is covered by more than one group health plan, payment of benefits may be coordinated between the VCHCP group health plan and the other carrier(s) group health plan.

Determining the order of payment

The California Code of Regulations provides the rules for determining the order of payment. The following information provides an overview of the general rules dictated by California law:

Note: for information on determining the order of payment when the patient is also covered by Medicare, refer to Medicare (Non-Duplication of Coverage).

In accordance with AB 2208 / AB 205, the domestic partner is treated like a spouse, and the children of the domestic partner are treated just like the children of a spouse for COB purposes - including the order of payment determination.

- 1) The member is a subscriber on one group health plan and a dependent of another group health plan:
 - a. The group health plan that covers the person as an active employee, member, subscriber or retiree is primary.
 - b. The group health plan that covers the person as a dependent is secondary.

- 2) The member is a child covered under more than one group health plan:
 - a. When the parents are not divorced or separated, the group health plan of the parent whose date of birth (month and day) occurs earlier in the year is primary.
 - b. When the parents are divorced and the specific terms of the court decree state that one of the parents is responsible for the health care expenses of the child, that group health plan is primary. The group health plan of the other natural parent is secondary.
 - c. When the parents are not married, or are divorced or separated and there is no court order which would otherwise establish financial responsibility for the child, primary responsibility is determined in the following order:
 1. The group health plan of the custodial parent

2. The group health plan of the spouse of the custodial parent
 3. The group health plan of the non-custodial parent
 4. The group health plan of the spouse of the non-custodial parent
- d. When the parents are divorced or separated, and there is a court decree that the parents share joint custody, without specifying which parent is responsible for the health care expenses of the child, the group health plan of the parent whose date of birth (month and day) occurs earlier in the year is primary.
- 3) The member has coverage provided via a retiree or laid-off employee group health plan and coverage provided under an active employee group health plan:
- a. The group health plan that covers the person, or the dependent of such person, as an active employee, is primary.
 - b. The group health plan that covers the person, or the dependent of such person, as a laid-off or retired employee is secondary.
- 4) Exceptions
- a. Not all health care service plans and insurance plans coordinate benefits; for example:
 1. Individual and Family Plans (IFP);
 2. School or sports coverage;
 3. State, county and government plans, such as Healthy Kids and MRMIB;
 4. Tri-Care, which will always pay as secondary;
 5. Medi-Cal and Medicaid
 6. Medicare Supplement plans;
 7. Medicare (refer to Medicare Non-Duplication of Coverage)

When VCHCP is the Primary Plan

When VCHCP is the primary carrier, VCHCP and/or the hospital will pay the claim according to the terms of the member's contract without considering the existence of any other group health plan.

The hospital may not bill or collect from the member any amounts in excess of the applicable copayments and deductibles. The hospital may also bill and collect from any secondary carrier, according to the secondary carrier's payment rules.

When VCHCP is the Secondary Plan

When VCHCP is the secondary carrier our payment is limited to the VCHCP benefits, less the primary carrier's payment. VCHCP does not make payment if the primary carrier pays up to or more than the VCHCP allowance for the billed charges. Although the hospital may recover copayments and/or deductibles from the member, the total amount collected may never exceed the VCHCP allowance for the billed services.

If VCHCP is the secondary plan, and the hospital provides a service that would have otherwise been the primary group health plan's liability, the hospital may collect the reasonable cash value of such services from the primary group health plan. If VCHCP is a member's secondary group health plan, the capitated hospital will waive collection of the VCHCP member copayment.

When a disagreement exists as to which group health plan is secondary, VCHCP will provide benefits as if it were the primary group health plan, provided the member:

- 1) assigns to VCHCP the right to receive benefits from the other group health plan;
- 2) agrees to cooperate with VCHCP in obtaining payment from the other group health plan; and
- 3) Allows VCHCP to verify benefits have not been provided by the other group health plan.

VCHCP and/or the capitated hospital will work directly with the other group health plan to recover the reasonable cost of benefits provided to the member.

References

Additional information regarding COB is available through the following references:

- California Code of Regulations, Title 28, Section 1300.67.13
- The Member's Evidence of Coverage

Appendix F - Check List for a Complete Medical Record

Medical Records Requirements

Consistent and complete documentation in the medical record is an essential component of quality patient care. Personal physicians are required to maintain a medical record for each member. The record should be current and organized in a manner that permits effective and confidential patient care and quality review. Please refer to the medical records review section in this manual for additional information.

The form below is provided to help you determine the key elements required for a complete medical record.

	Yes	No	N/A
1) Do all pages contain patient ID?			
2) Is there a completed problem list?			
3) Are allergies and adverse reactions to medications prominently displayed?			
4) Is there an appropriate past medical history in the record?			
5) Are working diagnoses consistent with findings?			
6) Are plans of action/treatment consistent with diagnoses?			
7) Are the initial and refill prescriptions noted?			
8) Is there evidence of continuity and coordination of care between primary and specialty physicians?			
9) Does the care appear to be medically appropriate?			
10) Is there evidence of a discussion of Advanced Directives for adults over age 18?			

Appendix G - Glossary

Advance Directives

Documents signed by a member that explain the member's wishes concerning a given course of medical care should a situation arise where he/she is unable to make these wishes known.

Authorization

The procedure for obtaining VCHCP's prior approval for all services, except PCP and emergency or urgent services, provided to members under the terms of their health services contract.

Benefits

Those health care services, for which a member is entitled, pursuant to the terms of his/her health services contract.

Capitation

A prepaid monthly fee paid to the PCP for each VCHCP member in exchange for the provision of comprehensive health care services.

Complete Claim

A complete claim is a claim, or portion of a claim, including attachments and supplemental information or documentation, that provides reasonably relevant information or information necessary to determine payer liability and that may vary with the type of service or provider. Reasonably relevant information means the minimum amount of itemized, accurate and material information generated by or in the possession of the provider related to the billed services that enables a claims adjudicator to determine the nature, cost, if applicable, and extent of the plan's liability, if any, and to comply with any governmental information requirements. Information necessary to determine payer liability means the minimum amount of material information in the

possession of third parties related to a provider's billed services that is required by a claims adjudicator to determine the nature, cost, if applicable, and extent of the plan's liability, if any, and to comply with any governmental information requirements. In addition, the plan may require additional information from a provider where the plan has reasonable grounds for suspecting possible fraud, misrepresentation or unfair billing practices. VCHCP will adjudicate complete claims.

Coordination of Benefits (COB)

When a patient is covered by two or more group health plans, coordination of benefits divides the responsibility of payment between the health plans so that the combined coverage may pay up to 100 percent of hospital and professional services within the limits of all contracts.

Copayment

Fees paid by the member to the healthcare provider at the time of service. Copayment pertains only to covered services, as specified in the member's Evidence of Coverage.

Covered Services

Those services provided to a member pursuant to the terms of a group or individual health services contract and noted in the member's Evidence of Coverage.

Dependent (Commercial only)

A subscriber's spouse who: is not covered for benefits as a subscriber

Must reside with the subscriber, except as otherwise required by law or court order.

Has been enrolled and accepted by the Plan as a dependent and has maintained

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membership in accordance with the health services contract.

A subscriber's Domestic Partner, who:

- is not covered for benefits as a subscriber
- A dependent is also a subscriber's unmarried child (including stepchild, legally adopted child, or child of domestic partner) who:
 - is primarily dependent upon the subscriber for support and maintenance
 - under the limiting age of 26
 - is not covered for benefits as a subscriber
 - has been enrolled and accepted by the Plan as a dependent and has maintained membership in accordance with the health services contract.

Note: If a court has issued a Qualified Medical Child Support Order, VCHCP will provide coverage for the child in accordance with that order, whether or not the child meets the above requirements.

Domestic Partner

An individual who is personally related to the subscriber by a domestic partnership that meets the following requirements:

The domestic partnership is officially registered with the State of California or with any other California County or municipality domestic partner registry listed at the San Francisco Human Right Commission Internet site at www.ci.sf.ca.us.

Durable Medical Equipment-DME (also known as Home Medical Equipment- HME)

Equipment, as defined by Medicare coverage guidelines, that can withstand repeated use, is primarily and usually used to serve a medical purpose, is generally not useful to a person in the absence of illness or injury, and is appropriate for use in the home.

Durable Power of Attorney

A legal document that enables an individual to designate another person, called the attorney-in-fact, to act on his/her behalf, even in the event the individual becomes disabled or incapacitated.

Eligibility Report

A report of members determined by VCHCP to be eligible for benefits.

Emergency

An emergency is defined as a medical condition (including active labor or a psychiatric medical condition) manifesting itself by acute symptoms of sufficient severity, including severe pain, which a prudent layperson would believe without immediate medical attention could result in:

Placing a member's health, or that of the member's unborn child, in jeopardy;

Seriously impairing bodily functions; or

Causing serious dysfunction of any bodily organ or part.

Employer Group

The organization, firm, or other entity contracting with VCHCP to arrange health care services for its employees and their dependents.

Evidence of Coverage and Disclosure

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The document which explains the services and benefits covered by VCHCP and defines the rights and responsibilities of the member and VCHCP.

Exclusions

An item or service that is not covered under VCHCP as defined in the Evidence of Coverage and Disclosure form.

Expedited Grievance

A request for a 72-hour grievance consideration of a prior authorization request denial in which the health plan determines a member's health or ability to function could be seriously harmed by waiting for a standard grievance decision. A member, member representative, or physician on behalf of the member may request an expedited grievance.

Expedited Initial Determination

Prior authorization requests which have been requested by the member or requesting provider to be reviewed within a 72-hour time frame, or when it is determined by the health plan or the requesting provider that the member's health or ability to function could be seriously harmed by waiting for a standard review determination.

Expedited Review or Decision

The Knox Keene Act requires and provides for an expedited review (initial determination) and grievance process. When a member believes that his/her health and ability to function could be seriously harmed by waiting the thirty days (30) for a standard grievance, he/she may request an expedited review (initial determination) or grievance. DMHC standards and VCHCP require that this request be processed within

seventy-two (72) hours. This request may be filed by the member, his/her representative or his/her physician on behalf of the member.

External Review

An option provided to commercial members for consideration of a medical necessity decision following a Second Level or Final Level Grievance; or

A grievance in which care for a member with a terminal illness has been denied on the grounds that the treatment is experimental; where the case is sent to an independent, external review organization for an opinion, which is binding on VCHCP.

Fee for Service (FFS)

A payment system by which doctors, hospitals, and other providers are reimbursed for each service performed. VCHCP FFS contracts are typically based on the Medicare RBRVS reimbursement system.

Formulary (Preferred Drug List)

A continually updated list of prescription medications that VCHCP covers. The list represents the current clinical judgment of the members of the VCHCP Pharmacy and Therapeutics Committee as well as the physicians and pharmacists of the pharmacy benefit management (PBM) company used by the plan.

The formulary contains both brand name and generic drugs, all of which have FDA (Food and Drug Administration) approval

Grievance

Any concern related to quality of care, quality of service, access, waiting time, etc.

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Health Insurance Portability and Accountability Act (HIPAA)

The Health Insurance Portability and Accountability Act of 1996 Public Law 104-191 (HIPAA) was passed by Congress to reform the insurance market and simplify health care administrative process. Regulations govern the transmission, maintenance, security and privacy of electronic health information transmitted by health care providers, payors and others.

Home Health Care

Medically necessary healthcare services provided by a home health agency at the patient's home, as prescribed by the PCP.

Initial Decision/ Initial Determination

When VCHCP decides whether a service, claim, or benefit is authorized or denied.

Limitations

Refers to services that are covered by VCHCP but only under certain conditions.

Medically Necessary

Benefits are provided for covered services that are medically necessary. Medically necessary services include only those which have been established as safe and effective and are furnished in accordance with generally accepted professional standards to treat an illness or injury and which, as determined by VCHCP, are:

Consistent with VCHCP medical policy.

Consistent with the symptoms and diagnosis.

Not furnished primarily for the convenience of the patient, the attending physician or other provider.

Furnished at the most appropriate level that can be provided safely and effectively to the patient. The fact that a provider prescribes, orders, recommends or approves health services does not in itself make them medically necessary.

Non-Covered Services

Health care services which are not benefits under the subscriber's Evidence of Coverage/ Disclosure Form.

Peer Review

A physician review for the purposes of determining the existence of an actual or potential quality of care issue. This review process includes a review of the clinical and administrative information available. It is the evaluation or review of the performance of colleagues by professionals with similar types and degrees of expertise.

Primary Care Physician (PCP)

A general practitioner, board-certified (if not board certified, must at least have completed a two-year residency program) or board-eligible family practitioner, internist, obstetrician/gynecologist or pediatrician who has contracted with VCHCP to provide benefits to members and to refer, authorize, supervise, and coordinate the provision of all benefits to members in accordance with their health services contract and the Plan service delivery guidelines.

Referral

The process by which a member obtains authorization for covered services rendered by providers other than the member's Primary Care Physician.

Service Area

That geographic area in which VCHCP is licensed to provide services to

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members. Ventura County is the service area for VCHCP.

Skilled Nursing Facility (SNF)

A facility certified to provide skilled care, rehabilitation, and other related health services. The term “skilled nursing facility” or “SNF” does not include convalescent nursing homes, or facilities that primarily furnish custodial care.

Subscriber

A group employee or individual who satisfies the eligibility requirements of the health services contract, who is enrolled in and accepted by the Plan.

Urgent Service

Those services (other than Emergency Services) which are medically necessary to prevent serious deterioration of a member’s health, alleviate severe pain, or treat an unforeseen illness, injury or medical condition with respect to which treatment cannot reasonably be delayed until the member returns to the Plan’s service area.