

STATE OF ALASKA DEPARTMENT OF HEALTH & SOCIAL SERVICES SENIOR AND DISABILITIES SERVICES POLICY & PROCEDURE MANUAL	Section: 12 Provider Certification	Number: 12-1	Page: 1
	Subject: Provider Certification and Oversight		
	Approved: <i>/s/ Kimberli Poppe-Smart</i> Kimberli Poppe-Smart Acting Director		Date: 7/22/10

Purpose

To inform providers of the requirements for certification.
 To define a process for monitoring compliance and remediation of deficiencies.

Policy

Senior and Disabilities Services (SDS) administers an open and continuous provider certification process. Certification is a means of protecting participant health, safety, and welfare by requiring providers to meet established standards. On-going monitoring of providers by SDS fosters compliance with these standards, and with applicable policies, regulations, and statutes.

Individuals and agencies willing and qualified to offer services for participants submit an application to provide home and community-based waiver services or personal care services. The applications require documentation that indicates an understanding of program requirements, and the capacity and expertise to meet the needs of participants. In addition, the applications contain agreements and assurances that the applicant will comply with all requirements.

Once providers are certified, SDS is responsible for ensuring that they continue to operate in accordance with applicable standards, policies, regulations, and statutes. Through monitoring, review, and assessment activities, SDS gauges compliance, and identifies deficiencies that require remediation. Depending on the nature of the deficiency, SDS specifies the remediation action required to achieve compliance, and monitors providers until deficiencies are corrected.

Authority

AS 47.07.010 (a) [Medicaid program purpose]. 7 AAC 105.400 – 105.490 Provider Sanctions and Remedies. 7 AAC 125.60 Personal care provider certification and enrollment; 7 AAC 125.080 Personal care provider decertification and disenrollment. 7 AAC 130.220 Provider certification and enrollment; 7 AAC 130.225 Provider disenrollment and decertification.

Definitions

“Home and Community-Based Waiver Services programs” means the Adults with Physical Disabilities, Older Alaskan, Children with Complex Medical Conditions, or Intellectual and Developmental Disabilities programs.

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“Participant” means an individual who receives services, funded by Medicaid, through one of the Home and Community-Based Waiver Services programs or through the Personal Care Services program.

“Provider” means any sole practitioner or agency certified by SDS.

“Qualified provider” means a provider that meets the SDS requirements for certification.

“Willing provider” means a provider that enters into a Medicaid provider agreement and accepts the state’s payment as payment in full.

Responsibilities

1. **SDS** is responsible for
 - a. notifying the provider when an application is incomplete,
 - b. reminding the provider of the certification expiration date,
 - c. sending a form with service approvals,
 - d. monitoring provider compliance,
 - e. giving notice of non-compliance,
 - f. monitoring remediation progress, and
 - g. developing reports of certification and oversight activities.
2. The **provider** is responsible for
 - a. submitting a complete application,
 - b. operating in compliance with all requirements,
 - c. cooperating with SDS during compliance reviews, and
 - d. remediating deficiencies to achieve compliance.

Procedures

A. Certification

1. Initial Application.
 - a. Applicants submit a complete application for the programs for which they wish to offer services.
 - i. If the application is incomplete, SDS notifies the applicant and specifies a date, not to exceed 30 days, by which the documentation must be provided to SDS.
 - ii. The entire packet is returned to the applicant if, after review of the additional or revised materials, SDS determines

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- (A) that the documentation is inadequate for certification purposes, or
- (B) that certification cannot be accomplished within 30 days after notice of the need for additional materials because the applicant failed to provide them within the specified timeframe.

iii. A revised and complete application may be submitted at any time.

- b. Applicants operating multiple, staffed office locations where participant records are maintained submit
 - i. for Home and Community-Based Waiver Services programs, a complete application for each location; and
 - ii. for the Personal Care Services program, a separate agreement and specified additional materials for each office location.

2. Certification renewal.

- a. Ninety days before the expiration of the current certification period, SDS provides a courtesy notice of the end date and directions regarding recertification.
- b. The provider
 - i. submits the required materials 60 days before expiration to allow for review and, if necessary, notification in time for submission of additional or revised documentation; and
 - ii. includes all forms and documents, specified in the application packet, required for recertification and appropriate for the programs for which they wish to maintain certification.

3. Approval.

- a. SDS certifies the applicant or provider after review of the documents submitted for an initial application or for recertification when
 - i. required documentation is included;
 - ii. required educational and training standards are met;
 - iii. documentation demonstrates capacity and expertise to meet the needs of program participants;
 - iv. agreements to meet standards and requirements for participation are signed; and
 - v. none of the criteria for denial are present.
- b. SDS sends a form specifying the certification period and the services which the applicant may offer to participants.
- c. The date the certification application met all requirements is the beginning date of the certification period.
 - i. For applicants not previously certified, the certification period is for one year.
 - ii. For providers in good standing, the certification period, upon renewal, is two years.

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d. SDS may modify its certification approval, by making certification provisional and for a period less than one year, for providers required to remediate identified deficiencies.

4. Denial.

SDS denies certification or recertification for reasons including, but not limited to, the following criteria.

- a. The application is not complete because the applicant failed to provide required information within the timeframe specified for a response.
- b. Documentation indicates the provider operates in a manner that creates risks to the health, safety, or welfare of participants.
- c. Documentation indicates the provider is unable or unwilling to meet the requirements for certification.
- d. Documentation indicates the provider does not operate honestly, responsibly, and in accordance with applicable laws and regulations in order to maintain the integrity and fiscal viability of the state's medical assistance program.
- e. Documentation indicates lack of progress toward remediation of deficiencies to a degree that would be detrimental to participants or to program integrity.

B. Certification monitoring.

1. Provider compliance.

SDS monitors compliance using the following methods:

- a. review and analysis of
 - i. reports from the provider including, but not limited to, critical incident reports and reports required for certification (annual reports analyzing complaints and consumer satisfaction),
 - ii. information provided by participants, representatives, or other state and provider agencies, and
 - iii. complaint reviews;
- b. focused studies, e.g., mortality reviews; and
- c. onsite surveys including document reviews, and participant and provider staff interviews.

2. SDS management of provider non-compliance.

- a. For a provider found to be noncompliant with certification standards or applicable policies, regulations, and statutes, SDS
 - i. issues a report of findings, including deficiencies,
 - ii. specifies remediation requirements, and
 - iii. monitors remediation progress until the deficiencies are corrected.

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- b. Reports of findings include
 - i. a description of the evidence supporting the finding of non-compliance;
 - ii. the specific standard, policy, regulation, or statute that is the basis for the finding;
 - iii. the remediation action required to achieve compliance;
 - iv. the date by which compliance is required;
 - v. the method of provider confirmation of compliance; and
 - vi. if applicable, a history of prior noncompliance and remediation requirements.
- c. For deficiencies that present an immediate risk to participant health, safety, or welfare, SDS may act without offering an opportunity for remediation by the provider; actions include, but not limited to,
 - i. suspending or terminating certification, and
 - ii. suspending or withholding payment for services.
- d. If a lack of progress toward remediation is significant or compliance is not achieved within prescribed timeframes, SDS initiates the sanctions process required by Medicaid regulations, 7 AAC 105.400– 105.490.

C. Certification oversight.

1. SDS review of certification and compliance.

The QA Unit

- a. reviews and analyzes aggregated certification data on a monthly basis,
- b. prepares a report for the Quality Improvement Workgroup, including
 - i. analysis of certification data, and
 - ii. recommendations for
 - (A) provider or SDS improvements or remediation;
 - (B) development of new, or modification of current, policy and procedures; and
 - (C) improvements to the certification and oversight process.

2. Monitoring SDS activities.

The Quality Improvement Workgroup

- a. reviews monthly reports of findings and recommendations by the QA Unit;
- b. develops a plan to address identified issues;
- c. recommends administrative or operational changes, if indicated;
- d. identifies training and technical assistance needs;
- e. tracks and evaluates progress on actions items; and
- f. reports on the performance of SDS certification and oversight process activities to the departmental Quality Improvement Steering Committee on a quarterly basis.