



SALISH BHO

PROVIDER MONITORING POLICIES AND PROCEDURES

Policy Name: PROVIDER AND SUBCONTRACTOR NON-COMPLIANCE PENALTIES

Policy Number: 9.10

Reference: State and Provider Contract; RCW 71.24

Effective Date: 8/2004

Revision Date(s): 2/2013; 7/2016; 5/2018

Reviewed Date: 12/2014; 7/2016, 7/2017; 5/2018

Approved by: SBHO Executive Board

CROSS REFERENCES

- Policy: Correction Action Plan
- Policy: Monitoring of Contractors

PURPOSE

It is the policy of the Salish Behavioral Health Organization (SBHO) to promote its mission through assurance of subcontract compliance and to consider the imposition of penalties on providers for noncompliance in accordance with state laws and regulations.

PROCEDURE

1. In the event that a provider or subcontractor fails to provide the SBHO with requested data, reports, statistics, schedules, or information; or files fraudulent reports; or fails to meet contractual terms, the SBHO may:
 - Provide a written notice to the provider identifying the area(s) of non-compliance and specifying redress.
 - Identify, as appropriate, the specific amount of time within which the provider may correct the area(s) without penalty.
 - In the event that the provider does not correct the area(s) within the specified amount of time, institute any or all of the following actions, under the SBHO contract with the provider:
 - a. Withholding payment.

- b. Financial penalties.
 - c. File a request with the State to consider suspension, revocation, limitation, or restriction of licensure or certification.
 - This includes filing a report with the Medicaid Fraud and Control Unit.
 - d. File a request with the State to consider refusal to grant licensure or certification.
 - e. Other SBHO action under chapter 71.24 RCW.
2. The SBHO may deny partial or full funding to providers based solely on findings of substantial noncompliance with the terms of the provider's contract.

MONITORING

1. The SBHO will complete an array of monitoring activities for each of its contracting entities every calendar quarter. Such monitoring activities shall be used to determine current contractor performance and their ability to meet contractual obligations prior to the close of the contract period. Areas in which a contractor's performance is substantively lower than expected shall require the submission of corrective action plans on the part of the contractor.
2. The SBHO will review and/or conduct on-site monitoring reviews of provider compliance regularly in accordance with the SBHO monitoring schedule, but may conduct a review outside of that schedule as the SBHO considers appropriate for oversight purposes. The site review will consider any or all areas of contract compliance.
3. The SBHO may, prior to the date of the monitoring activity report, inform the provider of any substantial noncompliance, either in the specific or the aggregate, which places the provider at risk of punitive action as noted in (1) above. Any such notification, if verbal, will be followed by a written memorandum generated within 36 hours of the verbal notification but which will not replace the monitoring report.
4. The monitoring report will report areas of compliance and those of non-compliance as well as suggestions which may be of assistance to the provider to support the SBHO mission.
5. In the event of areas of non-compliance, the report will request a Corrective Action Plan (CAP), generated by the provider in response to the report, for each item of provider non-compliance. Reference SBHO Corrective Action Plan.
6. The SBHO may deny partial or full funding to contractors and/ or subcontractors based solely on findings of substantial noncompliance as outlined within the terms of the contract.