

APA-1

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No: 560 . Department or Agency: Alabama Medicaid Agency .

Rule No: 560-X-45-.04 .

Rule Title: Primary Contractors Functions/Responsibilities .
_____ New Rule; X Amend; _____ Repeal; _____ Adoption by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? _____ no

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? _____ yes

Is there another, less restrictive method of regulation available that could adequately protect the public? _____ no

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? _____ no

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? _____ no

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? _____ yes

Does the proposed rule have any economic impact? _____ no

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975 and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer: Stephanie Lindsay

Date: 2-19-15

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ALABAMA MEDICAID AGENCY

NOTICE OF INTENDED ACTION

RULE NO. & TITLE: 560-X-45-.04 Primary Contractor Functions/Responsibilities

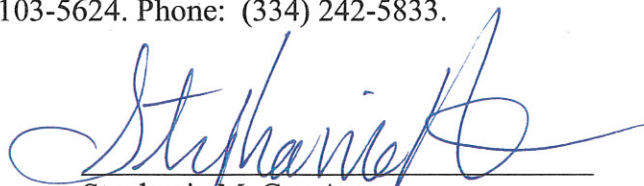
INTENDED ACTION: Amend 560-X-45-.04

SUBSTANCE OF PROPOSED ACTION: The above referenced rule is being amended to update language in the Administrative Code to reflect program changes in the Primary Contractor Functions/Responsibilities. The Primary Contractor must ensure all written materials are drafted in an easily understood language and format, and make oral interpretation services available for all non-English languages free of charge to each enrollee and potential enrollee; provide semi-annual education to subcontractors; provide Applications Assister services to Medicaid recipients; provide Medicaid copies of all medical records documentation form subcontractors for medical reviews; designate a person to enter data and manage Medicaid's Service Database entries for each district; and coordinate Service Database data entries for recipients transferring from one district to another district.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written or oral comments may be submitted to the Alabama Medicaid Agency, 501 Dexter Avenue, Post Office Box 5624, Montgomery, Alabama 36103-5624. Agency business hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Written/Oral comments concerning this change must be received by the Alabama Medicaid Agency no later than April 3, 2015.

CONTACT PERSON AT AGENCY: Stephanie Lindsay, Administrative Secretary, Alabama Medicaid Agency, 501 Dexter Avenue, Post Office Box 5624, Montgomery, Alabama 36103-5624. Phone: (334) 242-5833.


Stephanie McGee Azar
Acting Commissioner

Rule No. 560-X-45-.04 Primary Contractor Functions/Responsibilities

(1) Provide the pregnant Medicaid eligible population obstetrical care through a comprehensive system of quality care. The care can be provided directly or through subcontracts.

~~1.~~ (2) Implement and maintain the Medicaid approved quality assurance system by which access, process and outcomes are measured.

(3) Utilize proper tools and service planning for women assessed to be medically or psychosocially at risk.

(4) Provide recipient choice among Delivering Healthcare Professionals in their network.

(5) Meet all requirements of the Provider Network including maintaining written subcontracts with providers to be used on a routine basis including but not limited to, delivering physicians including obstetricians, family practitioners, general practitioners, ~~etc.~~, anesthesiologists, hospitals, and care coordinators. ~~After contract award~~ For the first 30 days prior to contract start date and for the 1st 30 days/month of each succeeding contract year, the Primary Contractor must offer opportunities for participation to all interested potential subcontractors.

(6) ~~The Primary Contractor must notify~~ Notify the Agency, in writing, of changes in the subcontractor base including the subcontractor's name, specialty, address, telephone number, fax number and Medicaid provider number.

(7) Maintain a toll-free line and designated staff to enroll recipients and provide program information. If the Primary Contractor, subcontractors and recipients are within the local calling distance area a toll-free line is not necessary.

(8) Require subcontractors to comply with advance directives requirements.

(9) Develop, implement and maintain an extensive recipient education plan covering subjects, ~~such as including but not limited to~~, appropriate use of the medical care system, purpose of care coordination, healthy lifestyles, planning for baby, and self-care, ~~etc.~~ All materials shall be available in English and the prevalent non-English language in the particular service area. The Primary Contractor is required to participate in the Agency's efforts to promote the delivery of services in a culturally competent manner including to those with limited English proficiency and with diverse cultural and ethnic backgrounds. The Primary Contractor must have the necessary staff and resources to address recipients with special needs such as hearing, sight and/or speech impairments. The Primary Contractor must make oral interpretation services available for all non-English languages free of charge to each enrollee and potential enrollee.

(10) Develop, implement, and maintain a provider education plan, covering

subjects ~~such as minimum including but not limited to,~~ program guidelines, billing issues, and updates from Medicaid, ~~etc.~~ Provide support and assistance to subcontractors ~~to include at minimum including but not limited to,~~ program guidelines, billing issues, and updates from Medicaid, ~~etc.~~ Education shall be provided semi-annually.

2. (11) Develop, implement and maintain an effective outreach plan to make providers, recipients and the community aware of the purpose of the Alabama Medicaid Agency MCP and the services it offers. The Primary Contractor is refrained from marketing activities as specified in Administrative Code 560-X-37-.01(17) and as further defined in 42 CFR 438.104(a) and 438.104(b)(1) et al. At a minimum, such education shall be provided semi-annually.

(412) Develop, implement and maintain ~~an educational~~ recipient program explaining how to access the MCP including service locations. Materials shall provide information about recipient rights and responsibilities, provisions for after-hours and emergency care, referral policies, notification of change of benefits, procedures for appealing adverse decisions, procedures for changing DHCP, exemption procedures and grievance procedures. All materials shall be available in English and in the prevalent non-English language in the particular service area. The Primary Contractor must have the necessary staff and resources to address recipients with special needs such as hearing, sight and/or speech impairments, and make oral interpretation services available for all non-English languages free of charge to each enrollee and potential enrollee.

(4213) Develop, implement and maintain a grievance procedure that is easily accessible and that is explained to recipients upon entry into the system.

(4314) Develop, implement and maintain a system for handling billing inquiries from recipients and subcontractors so that inquiries are handled in a timely manner.

(4415) Develop, implement and maintain a computer based data system that collects, integrates, analyzes and reports. Minimum capabilities include recipient tracking, billing and reimbursement, data analysis and the generation of reports regarding recipient services and utilization.

(4516) Give Medicaid immediate notification, by telephone and followed in writing, of any action or suit filed and prompt notice of any claim made against the Primary Contractor by any subcontractor which may result in litigation related in any way to the subject matter of this Contract. In the event of the filing of a petition of bankruptcy by or against any subcontractor or the insolvency of any subcontractor, the Primary Contractor must ensure that all tasks related to any subcontractor are performed in accordance with the executed office.

(4617) Ensure that subcontractor maintain for each recipient ~~Maintain~~ a complete record, including care coordination notes, for each enrolled recipient, at one location, of all services provided. Such information shall be accessible to the Primary Contractor and shall contain such information from all providers of service identified and identify by recipient name, recipient number, date of service, and services provided prior to making payment to that provider of service provided. The Primary Contractor must obtain such information from all providers of

~~services service.~~ It is acceptable to maintain one medical record and one administrative record (e.g. care coordination billing, ~~etc.~~).

(4718) Perform claims review prior to submission to Medicaid for Administrative Review.

(4819) Advise recipients of services that may be covered by Medicaid that are not covered through the MCP.

(4920) Promptly provide to Medicaid all information necessary for the reimbursement of outstanding claims in the event of insolvency.

(2021) Coordinate care from out-of-network providers to ensure that there is no added cost to the enrollee.

(22) Provide Application Assister services to Medicaid recipients.

(23) Develop a system to ensure all written materials are drafted in an easily understood language and format. Written material must be available in alternative formats and in an appropriate manner that takes into consideration the special needs of those who, for example, are visually limited or have limited reading proficiency.

(24) Provide Medicaid copies of all medical record documentation from subcontractors for medical record reviews and other quality related activities as applicable.

(25) Designate a person to enter data and manage Medicaid's Service Database entries for each District. This designee is responsible for the transmission of valid, timely, complete and comprehensive data, along with auditing the database periodically.

(26) Coordinate Service Database data entries for recipients transferring from one district to another district to ensure transmission of valid, timely, complete and comprehensive data entries.

Author: Yulonda Morris, Program Coordinator and QA/QI Nurse, Maternity Care Program.

Statutory Authority: Section 1932 of the Balanced Budget Act of 1997; Section 1905(t)(3) of the Social Security Act; 42 CFR Section 438; Alabama Medicaid Agency State Plan and approved 1915(b) Wavier.

History: New ruled filed: August 22, 2005; effective November 16, 2005. **Amended:** Filed February 19, 2015.