POLICY PURPOSE
The purpose of this policy is to demonstrate Troy Health’s commitment to comply with all applicable regulatory requirements regarding written policies and procedures. As a condition of its contract with CMS as a Medicare Advantage organization, Troy must have written policies and procedures that demonstrate the controls and oversight to support compliance with the requirements and laws.

SCOPE
This policy applies to all employees and management of compliance and health plan operations.

REFERENCES
- 42 CFR §§422.503(b)(4)(i), 422.503(b)(4)(vi)(A)
- Medicare Managed Care Manual, Chapter 21, Section 50.1

RESPONSIBLE PARTIES
- Chief Compliance Officer
- Chief Operating Officer

DEFINITIONS
- FDR – First-Tier, Downstream, and Related Entities. A First-Tier Entity is an entity with a direct contract with the health plan to perform administrative or health care services.
POLICY

Troy Health’s Compliance Department has established a process to ensure each operational area has written policies and procedures. This process requires the use of the Troy policy template and requires approval by the functional area’s responsible person and the Chief Compliance Officer, and final approval by the Policy Committee.

Departmental policies and procedures must clearly indicate the regulatory requirements for their processes and describe how the accountable area complies with the requirements. Every policy should address high level procedures to demonstrate how the implemented process includes timeliness, process controls, member communication points, monitoring activities, training, company standards, and reporting.

Compliance has developed written policies and procedures that describe the operations of the Compliance Program and the standards of conduct which describe compliance expectations. Compliance policies provide guidance with employees and others on how to deal with potential compliance issues and how to communicate compliance issue to appropriate compliance personnel.

When an operations area drafts a policy and procedure, the policy must first be approved by the policy owner, with the understanding they have fully researched applicable regulations and requirements, prior to submission to Compliance for review. The policy template will assist the policy owner with how to construct a policy, but the policy owner may request Compliance to provide regulatory and sub-regulatory guidance if needed.

The draft operational policy will be reviewed by Compliance for accuracy. Policies requiring additional research or substantive changes will result in the policy being returned to the policy owner for correction.

When a draft policy is approved by Compliance, it will be presented to the Policy Committee for final approval. Once approved, the policy effective date will be added and saved to a pdf format for posting.

If any regulatory updates that are shared by Compliance create the need for policies, policy owners are required to identify policies that are affected and update accordingly. Policy owners are also responsible for the implementation of updates, revising standard operating procedures and training staff.

Policies must be updated and approved prior to a regulatory effective date of a change.

Areas that are responsible for delegation oversight of a “FDR” must develop oversight policies and procedures.

Detailed standard operating procedures for desk-level use should be developed based on the policy but do not require approval by the Policy Committee.

Policy Committee

The Policy Committee is comprised of operational management and the Compliance Officer. The function of the Policy Committee is to establish a formal process by which policies are
reviewed and approved to ensure regulations are addressed, policy is uniform with the policy template and the procedure section addresses sub-regulatory guidance.

Compliance policies and procedures are not approved through this process. They are approved through the Compliance Committee, as the Compliance Committee is responsible for the effectiveness of the compliance program.

Employees must be trained on compliance and operational policies and procedures, and the training material and evidence of completed training should be retained for a period not less than 10 years.

PROCEDURE

Policy Development
1. Identify regulations relating to the potential policy topic.
2. Construct a policy supporting the regulation using the Policy and Procedure template.
3. As applicable, include sub-regulatory guidance to support the regulatory requirements, including HPMS memos, language from the Medicare Managed Care manuals, and any additional documents.
4. Write procedure portion in simple, high-level steps.
5. Send final draft to Compliance for review.

Compliance Review
1. Compliance will review policy to ensure the correct regulations and sub-regulatory components have been included.
2. Compliance will confirm policy statements are consistent with the requirements.
3. Compliance will confirm all timelines, controls, member communications, and steps in the procedure section are accurate.

Policy Committee
1. Policy Committee members will read the policy to ensure it makes sense, and any comments by Compliance have been addressed.
2. Each committee member will vote for approval or reject the policy based on need for substantive changes. A policy will not be rejected for grammatical errors, but correction will be required.
3. Policy Committee member will describe the reason for the rejection.
4. Compliance will have the authority to overrule a rejection.
ATTACHMENTS/RELATED POLICIES/STANDARD OPERATING PROCEDURES

- Troy Medicare Policy and Procedure Template

APPROVALS

Sally A. Scott
Chief Compliance Officer
09 / 02 / 2022
Date:

Sally A. Scott
Committee Approval
09 / 29 / 2022
Date: