

Policy & Procedure

POLICY/PROCEDURE TITLE: Provider Contract Compliance POLICY/PROCEDURE #: 708 Section: Provider Network Developed and maintained by: Provider Network Manager Scope: <input checked="" type="checkbox"/> OnPoint Staff <input type="checkbox"/> MH/IDD, <input type="checkbox"/> Housing, <input type="checkbox"/> SUD, <input type="checkbox"/> Integrated Health, <input checked="" type="checkbox"/> OnPoint Contract Providers <input type="checkbox"/> Other _____	Approved By: <u>Mark A. [Signature]</u> (Chief Executive Officer)	
	Approved By: _____ (Medical Director; as applicable)	
	DATES	
	First Effective	01/2002
Revised	03/2025	
Reviewed	05/2025	

POLICY

It is the policy of OnPoint to provide contracted providers an outline of the expectations of compliance with the OnPoint Agreement/Contract for the delivery of services.

- A) OnPoint shall:
 - 1) Use a variety of means to assist providers in understanding the contract requirements. It is the responsibility of the provider to know and understand the terms of the agreement/contract and comply accordingly.
 - 2) Actively monitor contracted providers to assure compliance with the terms of the agreement/contract.
 - 3) Take firm and expedient action in the event of non-compliance. Actions taken may range from assisting the provider with compliance improvement projects to termination of the provider’s contract depending on the severity and persistence of the non-compliance.
- B) It is the responsibility of the provider to provide written notification of the following actions to OnPoint Provider Network Manager immediately (within 10 calendar days) (not an exhaustive list):
 - 1) Loss of accreditation
 - 2) Loss of insurance
 - 3) Unfavorable financial audit
 - 4) Successful litigation claim against the Provider
 - 5) Loss of licensure
 - 6) Loss or change in an Adult Foster Care or Child Placing Institute license
 - 7) Reports of substantiated violation of State or Federal rules or regulations
 - 8) Any claim, allegation, financial loss or change in credentialing that can negatively impact the provider.

PROCEDURE

- I) **Provider Monitoring**
 - A) OnPoint will monitor the compliance of providers as outlined in OnPoint Provider Network Monitoring policy and procedure.

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- B) Providers scoring below performance expectations based upon the provider quality monitoring review tool will be asked to develop and follow a plan of improvement to correct deficiencies.
- C) Providers who fail to achieve improvements through a plan of improvement may be subject to progressive sanctions.

II) Provider Sanctions

- A) Providers will be sanctioned based on frequency and severity of contractual violations. Violations related to the quality of care and violations related to contract compliance, fiscal, legal and licensure are subject to this policy.
- B) Typically, sanctions will be progressive in nature, and require providers to satisfactorily remediate/correct violation per a timeframe determined by OnPoint.
- C) The following tables outline examples of contract violations and progressive sanctions:

Level	Sanction	Description	Authority
1	Notice of contractual violation with a required Plan of Correction	For first-time contractual violations a notice will be sent to the provider, describing the violation, and notifying the provider of the required plan of correction and time frame for its receipt.	Provider Network Manager, or OnPoint Chief Executive Officer
2	Referral moratorium or withholding of funds with a required Plan of Correction. This level may include placing the provider on probation with special/more intensive monitoring.	Repeat contract violations and failure to make corrections. A Plan of Correction is required from the provider within a timeframe established by OnPoint. Plan of Correction must be accepted by OnPoint for sanction to be lifted. Investigation of a serious incident (even in advance of any substantiated claim)	Provider Network Manager, or OnPoint Chief Executive Officer
3	Contract termination	Repeated contractual violations with ineffective or unacceptable corrections of the violations.	OnPoint Chief Executive Officer

- D) Violations subject to more severe sanctions:

Level	Sanction	Description	Authority
2	Referral moratorium or withholding of funds with a required Plan of Correction. This level may include placing the provider on probation with special/more intensive monitoring.	A first-time offense, if severe enough, could warrant more than a Level 1 sanction. Examples may include: <ul style="list-style-type: none"> • A serious Recipient Rights Violation, such as Abuse or Neglect I or II • A Sentinel Event where the provider was found to be negligent • Serious safety violations putting Individuals served at risk • A license is put on provisional status. 	Provider Network Manager, or OnPoint Chief Executive Officer
3	Contract termination	Zero tolerance Violations: <ul style="list-style-type: none"> • Severe first-time violations such as a death of an Individual due to negligence or abuse • Loss of a license, accreditation or other necessary credentials to comply with contractual agreement 	OnPoint Chief Executive Officer

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		<ul style="list-style-type: none"> • Exclusion from participation in Medicare or Medicaid or any federal health care program • Administrative or regulatory sanctions imposed by Medicaid 	
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III) Communication to Providers of Sanctions

- A) For Level 1 and 2 sanctions, OnPoint shall send a written notice to the provider outlining the areas of material non-compliance with the terms of the agreement/contract.
 - 1) the area(s) of non-compliance
 - 2) level and type of sanction
 - 3) expected remedy/improvement
 - 4) any additional monitoring of the provider
 - 5) due date of a response by the Provider
 - 6) contact person and OnPoint to whom questions and response shall be directed
- B) Level 2 or 3 sanctions will be:
 - 1) sent to the provider through certified mail with a return receipt requested
 - 2) copied to the OnPoint Chief Executive Officer
- C) If a provider does not achieve a required correction/improvement by the established timeframe, OnPoint shall notify the provider through written communication the following:
 - 1) information noted from Section III. A. above
 - 2) any additional sanctions imposed with newly defined timeframes
 - 3) the statement: the consequences for continued non-compliance may include termination of contract(s).

IV) Reporting

Any sanctions placed on a provider shall be reported to:

- A) Credentialing Committee
- B) Strategic Leadership Team
- C) PIHP Provider Network Workgroup

V) Provider Dispute Resolution

A provider may request a formal Dispute Resolution by using the process outlined in the Provider Dispute Resolution policy.