



West Virginia
Senior Advantage



Provider Manual

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WEST VIRGINIA SENIOR ADVANTAGE HMO SNP

Institutional Special Needs Plan

West Virginia Senior Advantage HMO SNP (“health plan” or “Plan”) is a Medicare Advantage Institutional Special Needs Plan designed to improve the care for the residents of Stonerise Healthcare Nursing Facilities in West Virginia. West Virginia Senior Advantage’s target population, is an institutionalized Medicare beneficiary who resides or is expected to reside in a Stonerise Healthcare contracted long-term care (LTC) facility for 90 days or longer.

Model of Care

West Virginia Senior Advantage’s Model of Care organizes best practices and industry innovations such as the PCP and West Virginia Senior Advantage Nurse Practitioner care team providing onsite, facility-based primary health care support; a health risk-assessment tool (HRAT) that drives an Individualized Care Plan (ICP); a care management platform that helps identify needed preventive health/HEDIS services, ensures the use of evidence based guidelines, and facilitates care team communications for care coordination; and frequent face-to-face member and caregiver/family member interactions that identify member care preferences and allow time for important care decision discussions and counseling.

The Model of Care facilitates the early assessment and identification of health risks and major changes in the health status of members with complex care needs, and the coordination of care to improve members overall health. West Virginia Senior Advantage’s Institutional Special Needs Plan (I-SNP) Model of Care has the following goals:

- Improve access to medical, mental health, and social services;
- Improve access to affordable care;
- Improve coordination of care through an identified point of contact;
- Improve transitions of care across healthcare settings and providers;
- Improve access to preventive health services;
- Assure appropriate utilization of services; and
- Improve member health outcomes.

Importantly, the Model of Care focuses on the individual I-SNP member. I-SNP members receive a health risk assessment initially and annually thereafter. Based on this assessment, an individualized care plan is developed, based on evidenced-based clinical protocols. The WVSA NP is responsible for care management; the interdisciplinary care team participates in the care planning. The member is highly encouraged to participate in this process, as may all of their healthcare providers. The individual care plan is stored centrally so that it can be shared with all members of the interdisciplinary care team, as indicated. All providers are encouraged to participate in the I-SNP Model of Care and interdisciplinary care teams. The WVSA NP will coordinate, with the Member and the PCP, to ensure ongoing or alternative treatment plans are acceptable and medically appropriate.

West Virginia Senior Advantage uses a data-driven process for identifying the frail/disabled, multiple chronic illnesses and those at the end of life. Risk stratification and protocols for intervention around care coordination, barriers to care, primary care givers, education, early detection, and symptom management are also components of the Model of Care. Based on the needs of Plan members, a specialized provider network is available to assure appropriate access to care, complementing each member's primary care provider.

The PCP is an important and unique part of West Virginia Senior Advantage's provider network. A PCP is a physician who is (1) contracted with West Virginia Senior Advantage, (2) licensed to practice allopathic (MD) or osteopathic (DO) medicine, and (3) is responsible for providing primary care services for West Virginia Senior Advantage members in the Nursing Facility (NF) or Skilled Nursing Facility (SNF) setting, including coordination and management of the delivery of all covered services.

The West Virginia Senior Advantage's model ensures that every member has direct access to primary care services onsite in the nursing facility and that the member's primary care physician PCP has experience understanding the special needs of nursing facility residents. PCPs provide regular patient care services in the nursing home facilities, working to streamline care and minimize the need for transfers out of the facility for ambulatory services. They work directly with the West Virginia Senior Advantage Nurse Practitioner to provide and oversee all aspects of member care including evaluating, recommending, or providing treatments to optimize health status. When possible and clinically appropriate, PCPs may decide to treat some acute exacerbations or conditions in place in the nursing facility rather than transferring the member to an external site of care, such as an acute care hospital or emergency room.

All members are required to choose or designate a PCP at enrollment. West Virginia Senior Advantage members are able to choose their PCP from the list maintained and published by West Virginia Senior Advantage. Members are able to change their PCP at any time. Physicians contracted as PCPs and available to be chosen as a primary care physician with West Virginia Senior Advantage are clearly identified in West Virginia Senior Advantage's member materials, including the Provider Directory as credentialed at time of publication.

West Virginia Senior Advantage's evidenced-based Model of Care includes the following components:

- The clinical team provides integrated health care management with a strong primary and preventive care focus to treat acute and chronic conditions.
- All members receive an HRAT and care plan within 90 days of enrollment and visits at least once a month, thereafter.
- WVSA NPs utilize a health risk assessment tool to rate each member's medical condition as low (green), moderate (yellow), or high (red).
- Risk levels dictate the WVSA NPs clinical visit/monitoring schedule.
- Risk level is evaluated at each Comprehensive and post-hospital visit visit/monitoring and tracked over time.
- An individualized plan of care having goals and measurable outcomes specific to the targeted special needs of each member is developed.
- An interdisciplinary care team is formed for each member.
- Access to a specialized provider network having expertise pertinent to the targeted special needs of the member population.
- A medication therapy management program.

- Demonstrated cultural competency among staff and providers.
- Members and their caregivers/families engaged in decision making at all times.
- Member and caregiver/family participation in Plan policy and operations through surveys and formal feedback.

Execution of the I-SNP Model of Care is supported by systems and processes to share information between the health plan, healthcare providers and the member. The I-SNP Model of Care includes periodic analysis of effectiveness, and all activities are supported by the Quality Improvement Program.

MEMBER INFORMATION

Member Identification & Eligibility

All participating providers are responsible for verifying a member's eligibility at each and every visit. Please note that membership data is subject to change. The Centers for Medicare and Medicaid Services (CMS) retroactively terminates members for various reasons. When this occurs, the West Virginia Senior Advantage claim recovery unit will request a refund from the provider. The provider must then contact CMS Eligibility to determine the member's actual benefit coverage for the date of service in question.

Each member is provided with an individual membership identification card. Noted on the ID card are the member's identification number, plan code, and effective date. If the member does not have an ID card, you must verify eligibility either telephonically or through the Provider Web Portal (see below).

Providers should always verify member eligibility prior to the appointment. West Virginia Senior Advantage should have the most current eligibility information. You can verify member eligibility through the following ways:

- Member ID Card: Note that changes do occur and the card alone does not guarantee member eligibility.
- Provider Web Portal: The West Virginia Senior Advantage web portal allows providers to verify eligibility online 24/7 at <https://optumprovider.prod.healthaxis.net/login>. Telephonically: Please call the Member Services Department at 1-844-854-6888, TTY 711.

Maximum Out-of-Pocket (MOOP)

West Virginia Senior Advantage members have a Maximum Out-of-Pocket (MOOP) benefit--a limit on the amount they will be required to pay out-of-pocket each year for medical services which are covered under Medicare Part A and Part B. Once this maximum out-of-pocket expense has been reached, the member is no longer responsible for any out-of-pocket expenses, including any cost shares, for the remainder of the year for covered Part A and Part B services (excluding the members' Medicare Part B premium and West Virginia Senior Advantage Plan premium).

Member Hold Harmless

Participating providers are prohibited from balance billing West Virginia Senior Advantage members including, but not limited to, situations involving non-payment by West Virginia Senior Advantage, insolvency of West Virginia Senior Advantage, or West Virginia Senior Advantage's breach of its Agreement. Providers shall not bill, charge, collect a deposit from, seek

compensation or reimbursement from, or have any recourse against members or persons, other than West Virginia Senior Advantage, acting on behalf of members for Covered Services provided pursuant to the participating Provider's Agreement. The provider is not, however, prohibited from collecting co-payments, co-insurances or deductibles for covered services in accordance with the terms of the applicable member's Benefit Plan.

Member Confidentiality & Privacy

At West Virginia Senior Advantage, we know our members' privacy is extremely important to them and we respect their right to privacy when it comes to their personal information and health care. West Virginia Senior Advantage is committed to protecting our members' personal information. West Virginia Senior Advantage does not disclose member information to anyone without obtaining consent from an authorized person(s), unless we are permitted to do so by law. As a valued provider to West Virginia Senior Advantage, we want you to know the steps we have taken to protect the privacy of our members including how we gather and use their personal information.

West Virginia Senior Advantage's privacy practices apply to all of West Virginia Senior Advantage past, present, and future members. When a member joins West Virginia Senior Advantage, the member agrees to give West Virginia Senior Advantage access to Protected Health Information. Protected Health Information ("PHI"), as defined by the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), is information created or received by a health care provider, health plan, employer or health care clearinghouse, that: (i) relates to the past, present or future physical or mental health or condition of an individual, the provision of health care to the individual, or the past, present or future payment for the provision of health care to the individual; (ii) identifies the individual, or with respect to which there is a reasonable basis to believe the information can be used to identify the individual; and (iii) is transmitted or maintained in an electronic medium, or in any form or medium.

Access to the PHI allows West Virginia Senior Advantage to work with providers, like yourself, to decide whether a service is a Covered Service and pay your clean claims for Covered Services using the members' medical records. Medical records and claims are generally used to review treatment and to conduct quality assurance activities. In addition, it allows West Virginia Senior Advantage to look at how care is delivered and to conduct programs to improve the quality-of-care West Virginia Senior Advantage's members receive. This information also helps West Virginia Senior Advantage manage its members' health conditions in order to improve each enrolled member's quality of life.

West Virginia Senior Advantage's members have additional rights over their health information. They have the right to:

- Send West Virginia Senior Advantage a written request to see or receive a copy of their health information, or amend their personal information that they believe is incomplete or inaccurate. If West Virginia Senior Advantage did not create the information, we will refer the member to the source of the information.
- Request that we communicate with them about medical matters using reasonable alternative means or at an alternative address, if communications to their home address could endanger them.
- Receive an accounting of West Virginia Senior Advantage's disclosures of their medical information, except when those disclosures are for the treatment, payment, health care operations, or the law otherwise restricts the accounting.

As a Covered Entity under HIPAA, providers are required to comply with the HIPAA Privacy Rule and other applicable laws in order to protect member PHI.

Member Rights and Responsibilities

West Virginia Senior Advantage Member Rights

The right to be treated with dignity and respect

Members have the right to be treated with dignity, respect and fairness at all times. West Virginia Senior Advantage must obey laws against discrimination that protect members from unfair treatment. These laws say that West Virginia Senior Advantage cannot discriminate against members because of a person's race, disability, religion, gender, sexual orientation, health, ethnicity, creed, age, or national origin. If members need help with communication, such as a language interpreter, they should be directed to call the Member Services Department. The Member Services Department can also help members in filing complaints about access to facilities (such as wheel chair access). Members can also call the Office for Civil Rights at 1-800-368-1019 or TTY/TDD 1-800-537-7697, or the Office for Civil Rights in their area for assistance.

The right to the privacy of medical records and personal health information

There are federal and state laws that protect the privacy of member medical records and personal health information. West Virginia Senior Advantage keeps members' personal health information private as required under these laws. Any personal information that a member gives West Virginia Senior Advantage is protected. West Virginia Senior Advantage staff will ensure that unauthorized people do not see or change member records. Generally, we will get written permission from the member (or the member's designated representative or power of attorney) before we can give member health information to anyone who is not providing the member's medical care. There are exceptions allowed or required by law, such as the release of health information to government agencies that are checking on the quality of care. The laws that protect member privacy give members rights related to getting information and controlling how their health information is used. West Virginia Senior Advantage is required to provide members with a notice that tells them about these rights and explains how West Virginia Senior Advantage protects the privacy of their health information. For example, members have the right to look at their medical records (there may be a fee charged for making copies). Members also have the right to ask plan providers to make additions or corrections to their medical records (if members ask plan providers to do this, they will review member requests and determine if the changes are appropriate). Members have the right to know how their health information has been given out and used for routine and non-routine purposes. If members have questions or concerns about the privacy of their personal information and medical records, they should be directed to call Member Services. West Virginia Senior Advantage will release a member's information, including prescription drug event data, to Medicare, which may release it for research and other purposes that follow all applicable Federal statutes and regulations.

The right to see participating providers, get covered services, and get prescriptions filled in a timely manner

Members will get most or all of their health care from participating providers, that is, from doctors and other health providers who are part of West Virginia Senior Advantage. Members have the right to choose a participating provider (West Virginia Senior Advantage will work with members to ensure they find physicians who are accepting new patients). Members have the right to go to a women's health specialist (such as a gynecologist) without a referral. Members have the right

to timely access to their providers and to see specialists when care from a specialist is needed. Members also have the right to access their prescription benefit at any network pharmacy in a timely manner. Timely access means that members can get appointments and services within a reasonable amount of time. The Evidence of Coverage (EOC) explains how members access participating providers to get the care and services they need. It also explains their rights to get care for a medical emergency and urgently needed care.

The right to know about treatment choices and to participate in decisions about their health care

Members have the right to get full information from their providers when they receive medical care, and the right to participate fully in treatment planning and decisions about their health care. West Virginia Senior Advantage's providers must explain things in a way that members can understand. Members have the right to know about all of the treatment choices that are recommended for their condition, including all appropriate and medically necessary treatment options, no matter what their cost or whether they are covered by West Virginia Senior Advantage. This includes the right to know about the different Medication Management Treatment Programs West Virginia Senior Advantage offers and those in which members may participate. Members have the right to be told about any risks involved in their care. Members must be told in advance if a proposed medical care or treatment is part of a research experiment and be given the choice of refusing experimental treatments.

Members have the right to receive a detailed explanation from West Virginia Senior Advantage if they believe that a plan provider has denied care that they believe they are entitled to receive or care they believe they should continue to receive. In these cases, members must request an initial decision. Initial decisions are discussed in members' EOC.

Members have the right to refuse treatment. This includes the right to leave a hospital or other medical facility, even if their doctors advise them not to leave. This also includes the right to stop taking their medication. If members refuse treatment, they accept responsibility for what happens as a result of refusing treatment.

The right to use advance directives (such as a living will or a power of attorney)

Members have the right to ask someone, such as a family member or friend, to help them with decisions about their health care. Sometimes, people become unable to make health care decisions for themselves due to accidents or serious illness. If a member wants to, he/she can use a special form to give someone they trust the legal authority to make decisions for them, if they ever become unable to make decisions for themselves. Members also have the right to give their doctors written instructions about how they want to handle their medical care if they become unable to make decisions for themselves. The legal documents that members can use to give their directions in advance of these situations are called "advance directives." There are different types of advance directives and different names for them. Documents called "living wills" and "powers of attorney for health care" are examples of advance directives.

If members decide that they want to have an advance directive, there are several ways to get this type of legal form. Members can get a form from their lawyer, from a social worker or from West Virginia Senior Advantage. Forms may also be available from office supply stores or from organizations that give people information about Medicare. Regardless of where the form comes from it is a legal document. Members should consider having their lawyer help them prepare it. It is important to sign the form and keep a copy. Members should also give a signed copy of the form to their doctor, the facility and to the person they name on the form as the person to make West Virginia Senior Advantage (HMO SNP Plan)

decisions for them if they cannot. Members may want to give copies to family members and close friends as well. If members know in advance they are going to be hospitalized, they should take a copy to the hospital. If members are admitted to the hospital, the hospital will ask them whether they have signed an advance directive form and whether they have it with them. If Members have not signed an advance directive or do not have a signed copy with them during the admission, the hospital will have forms available and will ask if the member wants to sign one.

Remember, it is a member's choice whether he/she wants to fill out an advance directive including whether they want to sign one if they are in the hospital. According to the law, no one can deny them care or discriminate against them based on whether or not they have signed an advance directive. If members have signed an advance directive and they believe that a doctor or hospital has not followed the instructions in it, members may file a complaint with their State Board of Medicine or appropriate state agency. This information can be found in the member's EOC.

The right to make complaints

Members have the right to file a complaint if they have concerns or problems related to their care or coverage. Members or an appointed/authorized representative may file appeals or grievances regarding care or coverage determinations. If members make a complaint or file an appeal determination, West Virginia Senior Advantage must treat them fairly and not discriminate against them because they made a complaint or filed an appeal or coverage determination. To obtain information relative to appeals, grievances, or concerns and/or coverage determinations, members should be directed to call the Member Services Department.

The right to get information about their health care coverage and cost

The EOC tells members what medical services are covered, and what the member has to pay for. If members need more information, they should be directed to call the Member Services Department. Members have the right to an explanation from West Virginia Senior Advantage about any medical services not covered by West Virginia Senior Advantage. West Virginia Senior Advantage must tell members in writing why West Virginia Senior Advantage will not pay for or allow them to get a service and how they can file for an appeal to ask West Virginia Senior Advantage to change the decision. If asked, staff should inform members on how to file an appeal and should direct members to review their EOC for more information about filing an appeal.

The right to get information about West Virginia Senior Advantage, plan providers, drug coverage, and costs

Members have the right to get information about the West Virginia Senior Advantage Plan and operations. This includes information about the Plan's financial condition, the services provided, and West Virginia Senior Advantage's health care providers and their qualifications. Members have the right to find out from the Plan how doctors are paid. Members should be directed to call the Member Services Department for information. Members also have the right to get information from West Virginia Senior Advantage about their Part D prescription coverage and the network pharmacies. Staff should instruct members to call the Member Services Department.

The right to obtain more information about members' rights

Members have the right to receive information about their rights and responsibilities. If members have questions or concerns about their rights and protections, they should be directed to call the Member Services Department. Members can also get free help and information from their State Health Insurance Assistance Program (SHIP). In addition, the Medicare program has written a booklet titled *Members Medicare Rights and Protections*. To get a free copy, members should be directed to call **1-800-MEDICARE (1-800-633-4227)**. TTY users should call **1-877-486-2048**.
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Members can call 24 hours a day, 7 days a week. Or members can visit www.medicare.gov on the web to order the booklet or print it directly from their computer.

The right to take action if a member thinks they have been treated unfairly or their rights are not being respected

If members think that they have been treated unfairly or their rights have not been respected, there are options.

- If members think they have been treated unfairly due to their race, color, national origin, disability, age, or religion, members should be encouraged to let West Virginia Senior Advantage know immediately by calling the Member Services Department. They can also call the Office for Civil Rights in their area.
- For any other kind of concern or problem related to their Medicare rights and protections described in this section, members should be encouraged to call the Member Services Department. Members also can get help from their State Health Insurance Assistance Program (SHIP).

West Virginia Senior Advantage Member Responsibilities

Along with certain rights, members of West Virginia Senior Advantage also have responsibilities. Members are responsible for the following:

- To become familiar with their West Virginia Senior Advantage coverage and the rules they must follow to get care as a member. Members can use their West Virginia Senior Advantage EOC and other information provided to them to learn about their coverage, what West Virginia Senior Advantage has to pay, and what rules they need to follow. Members should be encouraged to call the Member Services Department if they have questions or complaints.
- To advise West Virginia Senior Advantage if they have other insurance coverage.
- To notify providers when seeking care that they are enrolled with West Virginia Senior Advantage and to present their plan enrollment card to providers unless it is an emergency.
- To give their doctors and other providers the information they need to provide care for them and to follow the treatment plans and instructions that they and their doctors agree upon. Members must be encouraged to ask questions of their doctors and other providers whenever the member has them.
- To act in a way that supports the care given to other patients and helps the smooth running of their doctor's office, hospitals, and other offices.
- To pay their plan premiums and any other co-payments or coinsurance they may have for the Covered Services they receive. Members must also meet their other financial responsibilities that are described in their EOC.
- To let West Virginia Senior Advantage know if they have any questions, concerns, problems, or suggestions regarding their rights, responsibilities, coverage and/or West Virginia Senior Advantage operations.
- To notify West Virginia Senior Advantage and their providers of any address and/or phone number changes as soon as possible.
- To use their West Virginia Senior Advantage only to access services, medications and other benefits for themselves.

Advance Medical Directives

The Federal Patient Self-Determination Act ensures the patient's right to participate in health care decision-making, including decisions about withholding resuscitative services or declining/withdrawing life sustaining treatment. In accordance with guidelines established by the CMS, HEDIS requirements, and the Plan's own policies and procedures, West Virginia Senior Advantage requires all participating providers to have a process in place pursuant to the intent of the Patient Self Determination Act. All providers contracted directly or indirectly with West Virginia Senior Advantage may be informed by the member that the member has executed, changed, or revoked an advance directive. At the time a service is provided, the provider should ask the member to provide a copy of the advance directive to be included in his/her medical record. If the PCP and/or treating provider cannot as a matter of conscience fulfill the member's written advance directive, he/she must advise the member and West Virginia Senior Advantage. West Virginia Senior Advantage and the PCP and/or treating provider will arrange for a transfer of care. Participating providers may not condition the provision of care or otherwise discriminate against an individual based on whether the individual has executed an advance directive. However, nothing in the Patient Self-Determination Act precludes the right under state law of a provider to refuse to comply with an advance directive as a matter of conscience. To ensure providers maintain the required processes to advance directives, West Virginia Senior Advantage conducts periodic patient medical record reviews to confirm that required documentation exists.

Benefits and Services

All West Virginia Senior Advantage members receive benefits and services as defined in their EOC.

If a West Virginia Senior Advantage member calls or comes to a provider's office for an unscheduled non-emergent appointment, please attempt to accommodate the member and explain to them your office policy regarding appointments. If this problem persists, please contact West Virginia Senior Advantage.

Emergent and Urgent Services

West Virginia Senior Advantage follows the Medicare definitions of "emergency medical condition", "emergency services," and "urgently-needed services" as defined in the Medicare Managed Care Manual Chapter 4 Section 20.2:

- Emergency medical condition: "a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that a prudent layperson, with an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in:
 - Serious jeopardy to the health of the individual or, in the case of a pregnant woman, the health of the woman or her unborn child;
 - Serious impairment to bodily functions; or
 - Serious dysfunction of any bodily organ or part."
- Emergency services: "covered inpatient and outpatient services that are furnished by a provider qualified to furnish emergency services; and needed to evaluate or treat an emergency medical condition."
- Urgently-needed services: "covered services that are not emergency services as defined above but are medically necessary and immediately required as a result of an unforeseen illness, injury, or condition; are provided when the member is temporarily absent from the plan's service area; or under unusual and extraordinary circumstances, when the member is in the service area and the network is temporarily unavailable or inaccessible; and it was not reasonable given the circumstances to wait to obtain the services through the Plan network."

The West Virginia Senior Advantage network includes multiple hospitals, emergency rooms, and providers able to treat the emergent and urgent conditions of West Virginia Senior Advantage members twenty-four (24) hours a day, seven (7) days a week. For urgent and emergent issues that occur onsite in the member's nursing home or in the service area, the PCP is responsible for providing, directing, or authorizing a member's urgent or emergent care— including urgent or emergent services provided onsite in the nursing facility ("treatment in place.") The PCP or his/her designee must be available 24 hours a day, 7 days a week to assist members needing emergent or urgent services.

Emergent or urgent issues requiring services or expertise not available onsite in the member's nursing home will be addressed with transfer of the member to an acute care hospital or emergency room able to provide the needed care. The PCP, working with the WVSA NP, is responsible for coordinating the transition of the member to the hospital or emergency room, including communicating with the hospital or emergency room about the Member. Members have a co-payment responsibility for outpatient emergency visits unless an admission results.

While most members remain in the service area, West Virginia Senior Advantage members may receive emergency services and urgently needed services from any provider, regardless of whether services are obtained within or outside the West Virginia Senior Advantage authorized service area and/or network and regardless of whether there is prior authorization for the services. For emergency services outside the service area, West Virginia Senior Advantage will pay reasonable charges for emergency services received from non-participating providers, if a member is injured or becomes ill while temporarily outside the service area. Members may be responsible for a co-payment for each incident of outpatient emergency services at a hospital's emergency room or urgent care facility.

West Virginia Senior Advantage network includes contracts with ambulance transport services when an ambulance is required for member safety. In cases where ambulance services are dispatched through 911 or a local equivalent and the ambulance provider is not contracted with West Virginia Senior Advantage, the Plan follows Medicare rules on coverage for ambulance services as set forth in 42 CFR 410.40.

Continuing or Follow-Up Treatment

Continuing or follow-up treatment, except by the PCP, whether in or out of service area, is not covered by West Virginia Senior Advantage unless specifically authorized or approved by West Virginia Senior Advantage. Payment for covered benefits outside the service area is limited to medically necessary treatment required before the member can reasonably be transported to a participating hospital or returned to the care of the PCP.

Excluded Services

In addition to any exclusions or limitations described in the members' EOC, the following items and services are not covered under the Original Medicare Plan or by West Virginia Senior Advantage:

- Services that are not reasonable and necessary, according to the standards of the Original Medicare Plan, unless these services are otherwise listed by West Virginia Senior Advantage as a covered service.
- Experimental or investigational medical and surgical procedures, equipment, and medications, unless covered by the Original Medicare Plan or unless, for certain

services, the procedures are covered.

- Orthopedic shoes, unless they are part of a leg brace and included in the cost of the brace (exception: orthopedic or therapeutic shoes are covered for people with diabetic foot disease).
- Supportive devices for the feet (exception: orthopedic or therapeutic shoes are covered for people with diabetic foot disease).
- Hearing aids and routine hearing examinations unless otherwise specified in the EOC.
- Routine eye examinations, radial keratotomy, LASIK surgery, vision therapy, and other low vision aids and services, and eyeglasses (which are only covered after cataract surgery) unless otherwise specified in the EOC.
- Self-administered prescription medication for the treatment of sexual dysfunction, including erectile dysfunction, impotence, and anorgasmia or hypogasmia unless
 - Otherwise included in the member's Part D benefit. Please see the formulary for details.
- Reversal of sterilization measures, sex change operations, and non-prescription contraceptive supplies.
- Acupuncture.
- Naturopathic services.
- Any of the services listed above that are not covered will remain not covered even if received at an emergency facility. For example, non-authorized, routine conditions that do not appear to a reasonable person to be based on a medical emergency are not covered if received at an emergency facility.
- Complications as a result of any non-covered service.

Grievance & Appeal Process

All telephone complaints received by West Virginia Senior Advantage's Member Services Department will be resolved on an informal basis, except for complaints that involve "appealable" issues. These appealable issues will be placed in either the expedited or standard appeals process. In situations where a member remains dissatisfied with the informal resolution, the member must submit, in writing, a request for reconsideration of the informal resolution. All other written letters of complaint received by West Virginia Senior Advantage will be logged in the Plan's tracking system and automatically placed within either the appeal or grievance process, whichever is appropriate.

Members of West Virginia Senior Advantage have the right to file a complaint, also called a grievance, about problems they observe or experience with the health plan. Situations for which a grievance may be filed include but are not limited to:

- Complaints about services in an optional Supplementary Benefit package
- Complaints regarding issues such as waiting times, physician behavior or demeanor, and adequacy of facilities and other similar member concerns
- Involuntary disenrollment situations
- Complaints concerning the quality of services a member receives

Members of West Virginia Senior Advantage have the right to appeal any decision about West Virginia Senior Advantage's failure to provide what they believe are benefits contained in the basic benefit package.

These include:

- Reimbursement for urgently needed care outside the service area or Emergency Services worldwide
- A denied claim for any other health services furnished by a non-participating provider or supplier they believe should have been provided, arranged for, or reimbursed by West Virginia Senior Advantage Services they have not received, but believe are the responsibility of West Virginia Senior Advantage to pay for
- A reduction in or termination of service a member feels are medically necessary

In addition, a member may appeal any decision to discharge them from the hospital. In this case, a notice will be given to the member with information about how to appeal and the member will remain in the hospital while the decision is reviewed. The member will not be held liable for charges incurred during this period regardless of the outcome of the review. Please refer to the West Virginia Senior Advantage EOC for additional information.

Continuity of Care

West Virginia Senior Advantage's policy is to provide for continuity and coordination of care with medical practitioners treating the same patient, and coordination between medical and behavioral health services. When a practitioner leaves West Virginia Senior Advantage's network and a member is in an active course of treatment, West Virginia Senior Advantage will attempt to minimize any disruption in care by potentially offering continuity of care services with the current provider for a reasonable period of time. In addition, members undergoing active treatment for a chronic or acute medical condition will have access to the exiting provider through the current period of active treatment or a maximum of 90 calendar days, whichever is shorter. If the Plan terminates a participating provider, West Virginia Senior Advantage will work to transition a member into care with a Participating Physician or other provider within West Virginia Senior Advantage's network. West Virginia Senior Advantage is not responsible for the health care services provided by the terminated provider following the date of termination under such circumstances. West Virginia Senior Advantage also recognizes that new members join the health plan and may have already begun treatment with a provider who is not in West Virginia Senior Advantage's network. Under these circumstances, West Virginia Senior Advantage will work to coordinate care with the provider by identifying the course of treatment already ordered and offering the member a transition period of up to 90 calendar days to complete the current course of treatment.

West Virginia Senior Advantage will honor plans of care (including prescriptions, DME, medical supplies, prosthetic and orthotic appliances, and any other on-going services) initiated prior to a new member's enrollment for a period of up to 90 calendar days or until the PCP evaluates the member and establishes a new plan of care.

PROVIDER INFORMATION

West Virginia Senior Advantage provides a PCP driven care model engaging dedicated medical providers physically located at the contracted nursing facilities to enhance and provide bedside care management and coordination. A PCP is a physician who is (1) contracted with West Virginia Senior Advantage, (2) licensed to practice allopathic (MD) or osteopathic (DO) medicine, and (3) is responsible for providing primary care services for West Virginia Senior Advantage enrolled members in the nursing home or SNF setting, including coordination and management of the delivery of all covered services.

The PCP is supported by the WVSA NP and RNs with appropriate certification and qualifications for the population to be managed.

Providers Designated as Primary Care Physicians (PCPs)

Each West Virginia Senior Advantage member must select a West Virginia Senior Advantage participating primary care physician (PCP) at the time of enrollment. West Virginia Senior Advantage members will be able to choose their primary care physician from the list of contracted physicians maintained and published by West Virginia Senior Advantage. Members will be able to change their primary care physician at any time. Physicians contracted as PCP and available to be chosen as a primary care physician with West Virginia Senior Advantage will be clearly identified in West Virginia Senior Advantage's member materials, including the Provider Directory.

West Virginia Senior Advantage will contract for PCP services with physicians who are engaged in general practice, family practice, or internal medicine. In some cases, West Virginia Senior Advantage may contract with internal medicine physicians who also hold a subspecialty board certification in a specialty relevant to West Virginia Senior Advantage's member population, including pulmonology and cardiology.

The West Virginia Senior Advantage model will ensure that every member has direct access to primary care services onsite in the nursing facility and that the member's primary care physician has experience understanding the special needs of nursing facility residents.

The Role of the Primary Care Physician (PCP)

PCPs will provide regular patient care services in the nursing home facilities, working to streamline care and minimize the need for transfers out of the facility for ambulatory services. They will work directly with the WVSA NPs and RNs to provide and oversee all aspects of member care including evaluating, recommending, or providing treatments to optimize members' health status. When possible and clinically appropriate, PCP may decide to treat some acute exacerbations or conditions in place in the nursing facility rather than transferring the member to an external site of care, such as an acute care hospital or emergency room.

PCPs will be key participants in the member's interdisciplinary care team, collaborate with Plan mid-level care, and are accountable for all care decisions for members assigned to them. Additionally, all PCP will be required to participate in quarterly caregiver/family meetings with members. The PCP is responsible for managing all of the health care needs of a West Virginia Senior Advantage member as follows:

- Manage the health care needs of West Virginia Senior Advantage members who have chosen the physician as their PCP
- Ensure that members receive treatment as frequently as is necessary based on the member's condition
- Develop an individual treatment plan for each member
- Submit accurate and timely claims and encounter information for clinical care coordination
- Comply with West Virginia Senior Advantage's prior authorization and referral procedures
- Refer members to appropriate West Virginia Senior Advantage participating providers
- Comply with West Virginia Senior Advantage's Quality Management and Utilization

Management programs

- West Virginia Senior Advantage member's Health Risk Assessment and Individualized care plan is made available to PCP to provide feedback on
- Use appropriate designated ancillary services
- Comply with emergency care procedures
- Comply with West Virginia Senior Advantage access and availability standards as outlined in this manual, including after-hours care
- Submit claims to West Virginia Senior Advantage on the CMS 1500 claim form or electronically in accordance with West Virginia Senior Advantage billing procedures
- Ensure that, when submitting claims for services provided, coding is specific enough to capture the acuity and complexity of a member's condition and ensure that the codes submitted are supported by proper documentation in the medical record
- Comply with Preventive Screening and Clinical Guidelines
- Adhere to West Virginia Senior Advantage's medical record standards as outlined in this manual

The Role of the WVSA Nurse Practitioner (WVSA NP)

The WVSA Nurse Practitioner (WVSA NP) in collaboration and consultation with PCP, physicians, staff RN's and other health care professionals, provides holistic, compassionate care to members and families and provides care coordination and care management activities on behalf of West Virginia Senior Advantage. The WVSA NP practices within the context of collaborative management with a physician(s) in diagnosing, managing, and preventing acute and chronic illness and disease, and promoting wellness. The WVSA NPs role includes:

- On-site primary care support
- Assessment, care planning, and communication
- Medication review and monitoring
- Early identification and treatment of symptoms

WEST VIRGINIA SENIOR ADVANTAGE'S NPs offer:

- Coordinated care and more personal attention
- One point of contact for communication with the member, their caregiver/family, the doctors, and nursing staff
- Clinician visits based on need
- Ongoing visits to help avoid unnecessary and often unwanted trips to the hospital
- Completion of tests and treatments in the nursing home that are normally done in the hospital. For example, WVSA NPs will help avoid sometimes-traumatic hospitalizations because they can provide clinical oversight in the nursing home for treatments often done in the hospital (like IV diuretic therapy for congestive heart failure patients)

The WVSA NP will function as an in-the-field clinician and provide protocol driven primary care medicine. Upon member enrollment into the Plan, the WVSA NP will conduct a face-to-face HRAT, develop a plan of care with interventions based on the member's acuity at that point in time, and direct the Interdisciplinary Care Team (ICT). A regular presence in the nursing facility, the WVSA NP, supported by the PCP and ICT, will actively monitor the member's condition and proactively treat chronic conditions

The WVSA Nurse Practitioner will work with the member to assure that the member has access to the following services as needed:

- Range of Choices - The WVSA NP will be instrumental in ensuring access to a range of

choices for members by helping the member identify formal as well as informal supports and services and ensuring that the services are culturally appropriate as well as accessible. Interpreter services, if needed, will be available for all enrolled members.

- Coordination with the PCP and Specialists - The WVSA NP supported by the RN will work with the member and PCP in accessing appropriate specialty care. The WVSA NP also will facilitate periodic preventive care and alert the PCP to changes in the member's health status or concerns as appropriate. The WVSA NP will facilitate communication and collaboration between primary care, specialists and mental health/substance abuse in support of a comprehensive and unified individualized care plan.
- Assessment for Understanding of Treatment Plan and Medications – The WVSA NP supported by the RN will assess the member's ability to understand their medications and ability to follow their prescribed plan. If issues are identified, the WVSA NP/RN will assess the barrier and facilitate care and communication.
- Identification of Special Needs and Referrals to Specialists - The WVSA NP supported by the RN will help the member identify medical issues and functional problems such as poly-pharmacy issues, lack of social supports and high risk health conditions and assist the member in obtaining necessary services to meet identified needs.
- Coordination of Transitions between Care Settings - The WVSA NP supported by the RN will be an integral connection when the member moves from one care setting to another. This function will be essential to providing a smooth and safe transition.

The Role of the Specialist Physician

Each West Virginia Senior Advantage member is entitled to see a Specialist Physician for certain services required for treatment of a given health condition. The Specialist Physician is responsible for managing all the health care needs of a West Virginia Senior Advantage member as follows:

- Provide specialty health care services to members as needed
- Collaborate with the member's West Virginia Senior Advantage PCP to enhance continuity of health care and appropriate treatment
- Provide consultative and follow-up reports to the referring physician in a timely manner
- Comply with access and availability standards as outlined in this manual including after-hours care
- Comply with West Virginia Senior Advantage's prior authorization and referral process
- Comply with West Virginia Senior Advantage's Quality Management and Utilization Management programs
- Submit claims to West Virginia Senior Advantage or delegated vendor on the CMS 1500 claim form or electronically in accordance with West Virginia Senior Advantage's billing procedures
- Ensure that, when submitting claims for services provided coding is specific enough to capture the acuity and complexity of a member's condition and ensure that the codes submitted are supported by proper documentation in the medical record
- Coordinate additional referral needs with the Member's WVSA NP or PCP
- Submit encounter information to West Virginia Senior Advantage accurately and timely
- Adhere to West Virginia Senior Advantage's medical record standards as outlined in this manual

Administrative, Medical and/or Reimbursement Policy Changes

From time to time, West Virginia Senior Advantage may amend, alter, or clarify its policies. Examples of this include, but are not limited to, regulatory changes, changes in medical standards, and modification of Covered Services. Specific West Virginia Senior Advantage policies and

procedures may be obtained by calling the Plan's Provider Services Department: 1-844-854-6888, TTY 711

West Virginia Senior Advantage will communicate changes to the provider through the use of a variety of methods including but not limited to:

- Annual Provider Manual Updates
- Letter
- Facsimile
- Email

Providers are responsible for the review and inclusion of policy updates in the Provider Manual and for complying with these changes upon receipt of these notices.

Communication amongst Providers

- The PCP or WVSA NP should provide the Specialist Physician with relevant clinical information regarding the member's care.
- The Specialist Physician must provide the PCP or WVSA NP with information about his/her visit with the member in a timely manner.
- The PCP or WVSA NP must document in the member's medical record his/her review of any reports, labs, or diagnostic tests received from a Specialist Physician.

Provider Marketing Guidelines

The below is a general guideline to assist West Virginia Senior Advantage providers, who have contracted with multiple Medicare Advantage plans and are accepting Medicare fee-for-service patients, in determining what marketing and patient outreach activities are permissible under the CMS guidelines. CMS has advised Medicare Advantage plans to prohibit providers from steering, or attempting to steer an undecided potential enrollee toward a specific plan, or limited number of plans, offered either by the plan sponsor or another sponsor, based on the financial interest of the provider or agent. Providers should remain neutral parties in assisting plans to market to beneficiaries or assisting in enrollment decisions.

Providers Can:

- Mail/call their patient panel to invite patients to general West Virginia Senior Advantage sponsored educational events to learn about the Medicare and/or Medicare Advantage program. This is not a sales/ marketing meeting. These meetings must be explicitly advertised as educational. No enrollment applications or health plan/sales agent marketing materials can be distributed. Sales representative cards can be provided upon request and sales agents are permitted to schedule sales appointments if a patient is interested.
- Mail a West Virginia Senior Advantage affiliation letter to patients listing only West Virginia Senior Advantage. The letter must include a disclaimer that the provider also contracts with other Plans, if applicable.
- This letter may not quote specific plan benefits without prior CMS approval and the agreement of all plans listed.
- Utilize a physician/patient newsletter to communicate information to patients on a variety of subjects. This newsletter can have a West Virginia Senior Advantage area to advise patients of West Virginia Senior Advantage information. The content about West Virginia Senior Advantage must be approved by compliance prior to use and may need to be approved by CMS if it meets the CMS definition of marketing.

- Provide objective information to patients on specific plan formularies, based on a patient's medications and health care needs.
- Refer patients to other sources of information, such as the State Health Insurance Assistance Programs, West Virginia Senior Advantage marketing representatives, State Medicaid, or 1-800-Medicare to assist the patient in learning about the plan and making a healthcare enrollment decision.
- Display and distribute in common areas or provider offices (such as common entryways, vestibules, waiting rooms, hospital or nursing home cafeterias, and community, recreational, or conference rooms) West Virginia Senior Advantage marketing materials, excluding application forms. The office must display or offer to display materials for all participating Medicare Advantage plans.
- Refer patients to Plan marketing materials available in common areas
- Notify patients of a physician's decision to participate exclusively with West Virginia Senior Advantage for Medicare Advantage or to close panel to original Medicare fee-for-service patients if appropriate.
- Display promotional items with the West Virginia Senior Advantage logo.
- Allow West Virginia Senior Advantage to have a room/space in provider offices completely separate from where patients receive health care services, to provide Medicare beneficiaries with access to a West Virginia Senior Advantage sales representative.

Providers Cannot:

- Offer anything of monetary value to induce enrollees to select them as their provider.
- Distribute marketing materials or health plan applications in an exam room or area where care is being delivered.
- Permit health plan representatives/sales agents to market in restricted areas. Restricted areas generally include but are not limited to: exam rooms, hospital patient rooms, treatment areas where patients interact with a provider and his/her clinical team and receive treatment (including dialysis treatment facilities), and pharmacy counter areas (where patients interact with pharmacy providers and obtain medications).
- Quote specific health plan benefits or cost share in patient discussions, other than given an overall view.
- Urge or steer towards any specific plan or limited set of plans.
- Collect/accept enrollment applications, scope of appointment, or business reply cards on behalf of the plan.
- Offer inducements to persuade beneficiaries to enroll in a particular plan or organization.
- Health Screen potential enrollees when distributing information to patients. Health screenings cannot be conducted as a marketing activity.
- Accept compensation directly or indirectly from the plan for marketing or beneficiary enrollment activity.
- Call members who are disenrolling from the health plan to encourage re-enrollment in a health plan.
- Mail health plan or sales agent marketing materials to patients.
- Call patients to invite patients to sales and marketing activity of a health plan.
- Give patient contact details to health plan representatives/sales agents, or ask agents to share enrollee/member PHI with providers
- Advertise using West Virginia Senior Advantage's name without West Virginia Senior Advantage's prior consent and potentially CMS approval depending upon the content of

the advertisement.

Requirements specific to Long Term Care Facilities:

- Long term care facilities can include materials in admission packets that list the contracted health plans.
- Health plan representatives/sales agents can schedule appointments with residents of long-term care facilities (e.g., nursing homes, assisted living facilities, board and care homes) upon a resident's request. If a resident did not request an appointment, any visit by an agent or broker is considered unsolicited door-to-door marketing.
- Boundaries should be put in place between clinical and sales staff to mitigate conflicts of interest.
- Staff operating in a social worker capacity can provide information, including marketing materials, to residents. However, this must not include an enrollment form and the social worker cannot accept or collect an enrollment form, scope of appointment, or business reply card on behalf of the health plan or sales agent. The patient or their authorized representative must initiate the request for additional contact with the health plan or sales agent.

Member Assignment to New PCP

West Virginia Senior Advantage PCP have a limited right to request a member be assigned to a new PCP. A provider may request to have a member moved to the care of another provider due to the following behaviors:

- Fraudulent use of services or benefits.
- The member is disruptive, unruly, threatening or uncooperative to the extent that his/her membership seriously impairs West Virginia Senior Advantage's or the provider's ability to provide services to the member or to obtain new members and the aforementioned behavior is not caused by a physical or behavioral health condition.
- Threats of physical harm to a provider and/or his/her office staff.
- Non-payment of required copayment for services rendered.
- Receipt of prescription medications or health services in a quantity or manner which is not medically beneficial or not medically necessary.
- Repeated refusal to comply with office procedures essential to the functioning of the provider's practice or to accessing benefits under the managed care plan.
- The member is steadfastly refusing to comply with managed care restrictions (e.g., repeatedly using the emergency room in combination with refusing to allow the managed care organization to coordinate treatment of the underlying medical condition).

The provider should make reasonable efforts to address the member's behavior which has an adverse impact on the patient/physician relationship, through education and counseling, and if medically indicated, referral to appropriate specialists.

If the member's behavior cannot be remedied through reasonable efforts, and the PCP feels the relationship has been irreparably harmed, the PCP should complete the Member Transfer Request form and submit it to West Virginia Senior Advantage. West Virginia Senior Advantage will research the concern and decide if the situation warrants requesting a new PCP assignment. If so, West Virginia Senior Advantage will document all actions taken by the provider and West Virginia Senior Advantage to cure the situation. This may include member education and

counseling. A West Virginia Senior Advantage PCP cannot request a disenrollment based on an adverse change in a member's health status or utilization of services medically necessary for treatment of a member's condition.

A member also may request a change in PCP for any reason. The PCP change that is requested by the member will be effective the first (1st) of the month following the receipt of the request, unless circumstances require an immediate change.

Provider Participation

Providers must be contracted with and credentialed by West Virginia Senior Advantage or the entity under contract to perform credentialing services. West Virginia Senior Advantage Credentialing Program is compliant with the requirements of all CMS and State regulations as applicable. West Virginia Senior Advantage takes ultimate responsibility for all services provided by contracted entities, terms of the contract, and fulfillment of all terms and conditions of its contract. West Virginia Senior Advantage may agree to delegate credentialing to a provider organization so long as a) a Delegation Agreement is signed by both parties, and b) a delegation audit is conducted and found to be satisfactory.

Plan Notification Requirements for Providers

Participating providers must provide written notice to West Virginia Senior Advantage no less than 90 days in advance of any changes to their practice or, if advance notice is not possible, as soon as possible thereafter.

The following is a list of changes that must be reported to West Virginia Senior Advantage by contacting your Provider Services Representative:

- Practice address
- Billing address
- Fax or telephone number
- Hospital affiliations
- Practice name
- Provider joining or leaving the practice (including retirement or death)
- Provider taking a leave of absence
- Practice mergers and/or acquisitions
- Adding or closing a practice location
- Tax Identification Number (please include W-9 form)
- NPI number changes and additions
- Changes in practice office hours, practice limitations, or gender limitations
- Change of ownership

By providing this information in a timely manner, you will ensure that your practice is listed correctly in the Provider Directory. Please note, failure to provide up to date and correct information regarding your practice and the physicians that participate may result in the denial of claims for you and your physicians.

Closing Patient Panels

When a Participating Primary Care Physician elects to stop accepting new patients, the provider's patient panel is considered closed. If a Participating Primary Care Physician closes his or her patient panel, the decision to stop accepting new patients must apply to all patients regardless of insurance coverage. Providers may not discriminate against West Virginia Senior Advantage

members by closing their patient panels for West Virginia Senior Advantage members only, nor may they discriminate among West Virginia Senior Advantage members by closing their panel to certain product lines. Providers who decide that they will no longer accept any new patients must notify West Virginia Senior Advantage, in writing, at least 60 days before the date on which the patient panel will be closed.

Access and Availability Standards for Providers

West Virginia Senior Advantage has established written standards to ensure timeliness of access to care that meet or exceed the standards established by CMS, to ensure that all standards are communicated to providers, to continuously monitor compliance with the standards, and to take corrective action as needed. Additionally, West Virginia Senior Advantage requires that all providers offer standard hours of operation that (1) do not discriminate against Medicare enrollees and (2) are convenient for West Virginia Senior Advantage members, the facilities where members reside, and facility staff who aid in member care (i.e. primary care physicians are expected to NOT provide routine visits at times that coincide with regular facility meal times, that may interfere with expected member sleep patterns by occurring before 8 am or after 8 pm, or that occur during nursing staff shift changes).

Timeliness of Access to Care

West Virginia Senior Advantage members have access to care 24 hours a day, 7 days a week as medically necessary. It is the expectation of West Virginia Senior Advantage that Providers follow the Model of Care to ensure members have timely access to routine, preventive, and urgent care services.

- Primary care physicians—are required to provide
 - PCPs will be required to provide routine and preventive onsite visits for all WV Senior Advantage Members, regardless of risk level for members with non-urgent, new onset symptom or condition, PCPs must provide an onsite visit within 7 days (1 week) of the visit request
 - A significant change in condition will be addressed by the WVSA NP or PCP within one business day of notification at the most appropriate setting, based on clinical needs and the member's goals of care.
 - 24 hours a day, 7 days a week telephonic access for medically necessary member care, with approved and contracted physician coverage during time off (call coverage), with emergency care calls, both weekdays or after-hours, responded to immediately; urgent care calls, weekdays and after-hours, responded to within 30 minutes; and routine care calls returned by the end of the day.
- Specialists are required to be available for a consult or new patient appointment within 21 days of initial request and to be immediately available to primary care physicians for an urgent or emergent consult regarding a member.
- Telephone Access (applicable to all contracted providers regarding calls from members, members' caregivers, West Virginia Senior Advantage Nurse Practitioners, West Virginia Senior Advantage Medical Director and Utilization Management staff, and nursing home facility staff):
 - Emergency care calls, both weekdays and after-hours calls, will be dealt with immediately.
 - Urgent care calls, both weekdays and after-hours calls, will be returned within 30 minutes.
 - Routine care calls, both weekdays and after-hours calls, will be returned in a timely manner.

- All calls are answered promptly by the provider, provider staff and/or a reliable paging service or answering service.

Provider Rights and Responsibilities

Provider Rights

West Virginia Senior Advantage encourages your feedback and suggestions on how service may be improved within the organization.

If an acceptable patient-physician relationship cannot be established with a West Virginia Senior Advantage member who has selected you as his/her primary care physician, you may request that West Virginia Senior Advantage have that member removed from your care.

You may appeal any claims submissions you feel have not been paid according to medical policy or in keeping with the level of care rendered.

You may request to discuss any referral request with the Plan Medical Director at various times in the review process, before a decision is rendered or after a decision is rendered.

Provider Responsibilities

All Primary Care Physicians must provide continuous 24 hours, 7 days a week access to care for West Virginia Senior Advantage members. During periods of unavailability or absence from the practice, you must arrange coverage for your West Virginia Senior Advantage members and notify West Virginia Senior Advantage of the physician who is providing coverage for your practice.

In general, West Virginia Senior Advantage expects PCP visits to be provided onsite at the member's nursing facility.

Primary Care Physicians are responsible for the coordination of routine preventative care along with any ancillary services that need to be rendered with authorization.

All providers are required to code to the highest level of specificity necessary to fully describe a member's acuity level. All coding should be conducted in accordance with CMS guidelines and all applicable state and federal laws.

Specialists must provide specialty services upon referral from the Primary Care Physician and work closely with the referring physician regarding the treatment the member is to receive. Specialists must also provide continuous 24 hours, 7 days a week access to care for West Virginia Senior Advantage members. Whenever possible, West Virginia Senior Advantage urges specialists to provide member visits in the member's nursing facility for safety and comfort issues for the member.

Provider Information

Specialists are required to coordinate the referral process (i.e. obtain authorizations) for the further care they recommend. This responsibility does not revert back to the Primary Care Physician while the care of the member is under the direction of the Specialist.

In the event a provider is temporarily unavailable or unable to provide patient care or referral services to a West Virginia Senior Advantage member, he/she must arrange for another physician to provide such services on his/her behalf. This coverage cannot be provided by an Emergency West Virginia Senior Advantage (HMO SNP Plan)

Room.

Each provider has agreed to treat West Virginia Senior Advantage members the same as all other patients in his/her practice, regardless of the amount of reimbursement.

Each provider has agreed to provide continuing care to participating members.

Each provider has agreed to utilize West Virginia Senior Advantage's participating physicians/facilities when services are available and can meet the patient's needs. Referral recommendations should be communicated to the Primary Care Physician or WVSA NP and the standard process for obtaining referral followed.

Each provider has agreed to participate in West Virginia Senior Advantage's peer review activities as they relate to the Quality Management/Utilization Review program.

A provider may not balance bill a member for providing services that are covered by West Virginia Senior Advantage. This excludes the collection of standard co-pays. A provider may bill a member for a procedure that is not a covered benefit, if the provider has followed the appropriate procedures outlined in the Claims section of this manual.

Application Process

1. Submit a completed State Mandated Credentialing application, CAQH Universal Credentialing Application form or CAQH ID, or the Plan's application with a current signed and dated Attestation and Consent and Release form that is less than 90 days old.
2. If any of the Professional Disclosure questions are answered yes on the application, supply sufficient additional information and explanations.
3. Provide appropriate clinical detail for all malpractice cases that are pending or resulted in a settlement or other financial payment.
4. Submit copies of the following:
 - All current and active State Medical Licenses, DEA certificate(s) and state-controlled substance certificate as applicable.
 - Evidence of current malpractice insurance that includes the effective and expiration dates of the policy and term limits.

Credentialing and Recredentialing Process

Once a Practitioner has submitted an application for initial consideration, West Virginia Senior Advantage's Credentialing Department or delegated vendor will conduct primary source verification of the applicant's licensure, education and/or board certification, privileges, lack of sanctions or other disciplinary action, and malpractice history by querying the National Practitioner Data Bank.

The credentialing process generally takes up to ninety (90) days to complete, but can in some instances take longer. Once credentialing has been completed and the applicant has been approved, the Practitioner will be notified in writing of their participation effective date. To maintain participating status, all practitioners are required to recredential at least every three (3) years. Information obtained during the initial credentialing process will be updated and re-verified as required. Practitioners will be notified of the need to submit recredentialing information at least 4 months in advance of their three-year anniversary date. Three (3) separate attempts will

be made to obtain the required information via mail, fax, email or telephonic request. Practitioners who fail to return recredentialing information prior to their recredentialing due date will be notified in writing of their termination from the network.

The Plan reserves the right to not credential providers if the network is not currently in need of specific coverage.

Practitioner Rights

- Right to review information obtained from any outside source to evaluate their credentialing application with the exception of references, recommendations or other peer-review protected information. The provider may submit a written request to review his/her file information at least thirty days in advance at which time the Plan will establish a time for the provider to view the information at the Plan's offices.
- Right to correct erroneous information when information obtained during the credentialing process varies substantially from that submitted by the practitioner. In instances where there is a substantial discrepancy in the information, Credentialing will notify the provider in writing of the discrepancy within thirty (30) days of receipt of the information. The provider must submit a written response and any supporting documentation to the Credentialing Department to either correct or dispute the alleged variation in their application information within thirty (30) days of notification.
- Right to be informed of the status of their application upon request. A provider may request the status of the application either telephonically or in writing. The Plan will respond within two business days and may provide information on any of the following: application receipt date, any outstanding information or verifications needed to complete the credentialing process, anticipated committee review date, and approval status.

Organizational Provider Selection Criteria

When assessing organizational providers, West Virginia Senior Advantage utilizes these criteria:

- Must be in good standing with all state and federal regulatory bodies
- Has been reviewed and approved by an accrediting body
- If not accredited, can provide appropriate evidence of successfully passing a recent state or Medicare site review, or meets other Plan criteria
- Maintains current professional and general liability insurance as applicable
- Has not been excluded, suspended and/ or disqualified from participating in any Medicare, Medicaid, or any other government health related program
- Need for coverage related to organization's location and services

Organizational Provider Application and Requirements

1. A completed Ancillary/Facility Credentialing Application with a signed and dated attestation.
2. If responded "Yes" to any disclosure question in the application, an appropriate explanation with sufficient details/information is required.
3. Copies of all applicable state and federal licenses (i.e. facility license, DEA, Pharmacy license, etc.).
4. Proof of current professional and general liability insurance as applicable.
5. Proof of Medicare participation.
6. If accredited, proof of current accreditation. Note: Current accreditation status is required for DME, Prosthetic/Orthotics, and non-hospital based high-tech radiology providers who

- perform MRIs, CTs and/or Nuclear/PET studies.
7. If not accredited, a copy of any state or CMS site survey that has occurred within the last three years including evidence that the organization successfully remediated any deficiencies identified during the survey.
 8. Copy of DEA Registration.

Credentialing Committee / Peer Review Process

All initial applicants and recredentialed providers are subject to a peer review process prior to approval or reapproval as a participating provider. Providers who meet all of the acceptance criteria may be approved by the Plan Medical Director. Providers who do not meet established thresholds are presented to the Credentialing Committee for consideration. The Credentialing Committee is comprised of primary care and specialty providers, and has the authority to approve or deny an appointment status to a provider. All information considered in the credentialing and recredentialing process must be obtained and verified within one hundred eighty (180) days prior to presentation to the Medical Director or the Credentialing Committee. All providers must be credentialed and approved before being assigned a participating effective date.

Non-Discrimination in the Decision Making Process

West Virginia Senior Advantage's Credentialing Program is compliant with all CMS and State regulations as applicable. Through the universal application of specific assessment criteria, West Virginia Senior Advantage ensures fair and impartial decision-making in the credentialing process. No provider shall be denied participation based solely on race, gender, age, religion, ethnic origin, sexual orientation, type of population served or for specializing in certain types of procedures.

Provider Notification

All initial applicants who successfully complete the credentialing process are notified in writing of their plan effective date. Providers are advised to not see West Virginia Senior Advantage members until the notification of successful credentialing is received. Applicants who are denied by the Credentialing Committee will be notified via a certified letter within sixty (60) days of the decision outcome detailing the reasons for the denial/term and any appeal rights to which the provider may be entitled.

Appeals Process & Notification of Authorities

In the event that a provider's participation is limited, suspended or terminated, the provider is notified in writing within sixty (60) days of the decision. Notification will include a) the reason(s) for the action, b) outlines the appeals process or options available to the provider, and c) provides the time limits for submitting an appeal. All appeals will be reviewed by a panel of peers. When termination or suspension is the result of quality deficiencies, the appropriate state and federal authorities, including the National Practitioner Data Bank (NPDB) are notified of the action.

Confidentiality of Credentialing Information

All information obtained during the credentialing and recredentialing process is considered confidential and is handled and stored in a confidential and secure manner as required by law and regulatory agencies. Confidential practitioner credentialing and recredentialing information will not be disclosed to any person or entity except with the written permission of the practitioner or as otherwise permitted or required by law.

Ongoing Monitoring

West Virginia Senior Advantage conducts routine, ongoing monitoring of license sanctions, Medicare/Medicaid sanctions and the CMS Opt Out list between credentialing cycles.

Participating providers who are identified as having been sanctioned are subject to review by the Plan Medical Director or the Credentialing Committee who may elect to limit, restrict or terminate participation. Any provider whose license has been revoked or has been excluded, suspended and/or disqualified from participating in any Medicare, Medicaid or any other government health related program or who has opted out of Medicare will be automatically terminated from the Plan.

Provider Directory

To be included in Provider Directories or any other member information, providers must be fully credentialed and approved. Directory specialty designations must be commensurate with the education, training, board certification and specialty(s) verified and approved via the credentialing process. Any requests for changes or updates to the specialty information in the directory may only be approved by Credentialing and Recredentialing Process of the Plan.

CLAIMS

Claims Submission

While West Virginia Senior Advantage prefers electronic submission of claims, both electronic and paper claims are accepted. If interested in submitting claims electronically, contact your local West Virginia Senior Advantage Provider Services Department at: 1-844-854-6888, TTY 711. All completed paper claims forms should be forwarded to the address noted below:

West Virginia Senior Advantage
PO Box 94390
Lubbock, TX 79493

Timely Filing

As a West Virginia Senior Advantage participating provider, you are required to submit clean claims for reimbursement no later than

- 1) 90 days from the date of service, or
- 2) the time specified in your participation agreement, or
- 3) the time frame specified in the state guidelines, whichever is greater.

If you do not submit clean claims within these time frames, we reserve the right to deny payment for the claim(s). Claim(s) that are denied for untimely filing cannot be billed to a member.

We have claims processing procedures to help ensure timely claims payment to care providers. We are committed to paying claims for which we are financially responsible within the time frames required by state and federal law.

Claim Format Standards

Standard CMS required data elements must be present for a claim to be considered a clean claim and can be found in the CMS Claims Processing Manuals. The link to the CMS Claims Processing Manuals is: <https://www.cms.gov/manuals/downloads/clm104c12.pdf>.

West Virginia Senior Advantage can only pay claims which are submitted accurately. The provider is, at all times responsible for accurate claims submission. While West Virginia Senior Advantage will make its best effort to inform the provider of claims errors, the claim accuracy rests solely

with the provider.

Physicians in the same group practice who are in the same specialty must bill and be paid as though they were a single physician. If more than one service is provided on the same day to the same patient by the same physician or more than one physician in the same specialty in the same group, they must bill and be paid as though they were a single physician. For example, only one evaluation and management service may be reported unless the evaluation and management services are for unrelated diagnoses. Instead of billing separately, the physicians should select a level of service representative of the combined visits and submit the appropriate code for that level.

Physicians in the same group practice, but who are in different specialties may bill and be paid without regard to their membership in the same group.

Claim Payment

West Virginia Senior Advantage pays clean claims according to contractual requirements and CMS guidelines. A clean claim is defined as a claim for a Covered Service that has no defect or impropriety. A defect or impropriety includes, without limitation, lack of data fields required by West Virginia Senior Advantage or substantiating documentation, or a particular circumstance requiring special handling or treatment, which prevents timely payment from being made on the claim. The term shall be consistent with the Clean Claim definition set forth in applicable federal or state law, including lack of required substantiating documentation for nonparticipating providers and suppliers, or particular circumstances requiring special treatment that prevents timely payment from being made on the claim. If additional substantiating documentation involves a source outside of West Virginia Senior Advantage, the claim is not considered clean.

Pricing

Original Medicare typically has market adjusted prices by code (i.e. CPT or HCPCS) for services that traditional Medicare covers. However, there are occasions where West Virginia Senior Advantage offers a covered benefit for which Medicare has no pricing. In order to expedite claims processing and payment in these situations, West Virginia Senior Advantage will work to arrive at a fair market price by researching other external, publicly available pricing sources, such as other carriers, fiscal intermediaries, or state published schedules for Medicaid. West Virginia Senior Advantage requests that you make every effort to submit claims with standard coding. As described in this Manual and/or your Agreement, you retain your rights to submit a Request for Reconsideration if you feel the reimbursement is incorrect.

West Virginia Senior Advantage will apply correct coding edits, MPPRs as outlined by CMS in the RVU table. West Virginia Senior Advantage will also follow guidelines put forth by the AMA CPT, and CMS HCPC coding guidelines. Bundling, multiple procedure reductions, or payment modifiers may impact contracted allowances. All editing applied by West Virginia Senior Advantage is subject to the grievance, appeals, and clinical review policies and procedures outlined in this manual.

New or Non-listed Codes

From time to time, providers may submit codes for that are not recognized by the claims system. This can happen when new codes are developed/added for new and newly approved services or procedures or if existing codes are changed.

West Virginia Senior Advantage follows Original Medicare coverage guidelines for new services

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and procedures. If Original Medicare approves a new service, procedure, or code, West Virginia Senior Advantage shall make every effort to load the new code with approved pricing set at 100% of the current published Medicare rates, subject to all applicable copayments, deductibles, and cost-sharing amounts, as quickly as possible.

In the event a provider submits a code and the West Virginia Senior Advantage claims system does not recognize it as a payable code, or does not have a contracted allowance, the following process will occur:

1. West Virginia Senior Advantage maintains the right to review and/or deny any claim with CPT/HCPC codes that are not recognized by the system. Supporting documentation may be requested to substantiate services, determine allowance basis, and to make a coverage determination. This would include, but is not limited to, new CPT/HCPC codes, not otherwise classified codes, and codes designated as Carrier Defined by CMS;
2. Provider may then appeal the denial, attaching the Medicare coverage guidelines or proof of payment for the service/code (EOB) from Original Medicare; and
3. West Virginia Senior Advantage shall pay for any such services that include proof of payment by Original Medicare within the past six (6) months at the applicable Medicare rates or according to their participating provider contract less all applicable copayments, deductibles, and cost-sharing.

Providers may submit documentation of payment for new services/codes with original claims to prevent the need for an initial denial and subsequent appeal and re-adjudication process.

All codes/services submitted for payment and not recognized by the claims system shall be subject to verification of medical necessity. **Providers should always call to verify if any procedure or service code requires prior authorization and detailed coverage information.**

Claims Encounter Data

Providers who are being paid under capitation must submit claims within the same timely filing limit required for fee-for-service or non-capitated claims in order to capture encounter data as required per your West Virginia Senior Advantage Provider Agreement. In addition to submitting a claim to the Medicare Advantage Plan (WVSA), Medicare requires an encounter submission to the “fee for service” A/B MAC (A) to subtract benefit days from the CWF (Common Working File) records.

Explanation of Payment (EOP) / Remittance Advice (RA)

The EOP/RA statement is sent to the provider after coverage and payment have been determined by West Virginia Senior Advantage. The statement provides a detailed description of how the claim was processed.

Non Payment / Claim Denial

Any denials of coverage or non-payment for services by West Virginia Senior Advantage will be addressed on the Explanation of Payment (EOP) or Remittance Advice (RA). An adjustment/denial code will be listed per each billed line if applicable. An explanation of all applicable adjustment codes per claim will be listed below that claim on the EOP/RA. Per your contract, the member may or may not be billed for services denied by West Virginia Senior Advantage. The member may not be billed for a covered service when the provider has not followed West Virginia Senior Advantage’s procedures. In some instances, providing the needed information may reverse the denial (i.e. referral form with a copy of the EOP/RA, authorization number, etc.). When no benefits are available for the member, or the services are not covered, the EOP/RA will alert you to this

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and you may bill the member.

Verifying procedure or service code coverage information and/or prior authorization requirements with WVSA will reduce denials and the need for post service clinical review with possible denials.

Processing of Hospice Claims

When a Medicare Advantage (MA) member has been certified as hospice AND the premium West Virginia Senior Advantage receives from CMS is adjusted to hospice status, the financial responsibility for that member shifts from West Virginia Senior Advantage to Original Medicare. While these two conditions exist, Original Medicare covers all Medicare-covered services rendered. The only services West Virginia Senior Advantage is financially responsible for during this time include any benefits West Virginia Senior Advantage offers above Original Medicare benefits that are non-hospice related, non-Medicare covered services such as vision (eyewear allowable), prescription drug claims, medical visit transportation, etc.

Until both conditions listed above have been met, West Virginia Senior Advantage remains financially responsible for the member. Example: If a member is certified hospice on the 8th of the month, West Virginia Senior Advantage continues to be financially responsible for that member until the end of that month. The financial responsibility shifts to Original Medicare on the 1st day of the following month; the date the CMS premium to West Virginia Senior Advantage has been adjusted to hospice status for that member. These rules apply for both professional and facility charges.

Coordination of Benefits and Subrogation Guidelines

General Definitions

Coordination of Benefits (COB): Benefits that a person is entitled to under multiple plan coverage. Coordinating payment of these plans will provide benefit coverage up to but not exceeding one hundred (100) percent of the allowable amount. The respective primary and secondary payment obligations of the two coverages are determined by the Order of Benefits Determination Rule contained in the National Association of Insurance Commissioners (NAIC) COB Model Regulations Guidelines.

Order of Benefit Determination Rule: Rules which, when applied to a particular member covered by at least two plans, determine the order of responsibility each plan has with respect to the other plan in providing benefits for that member. A plan will be determined to have Primary or Secondary responsibility for a person's coverage with respect to other plans by applying the NAIC rules.

Primary: This carrier is responsible for costs of services provided up to the benefit limit for the coverage or as if no other coverage exists.

Secondary: This carrier is responsible for the total allowable charges, up to the benefit limit for the coverage, less the primary payment not to exceed the total amount billed (maintenance of benefits).

Allowable Expense: Any expense customary or necessary for health care services provided as well as covered by the member's Health Care Plan.

Conclusion: COB is applying the NAIC rules to determine which plan is primarily responsible and which plan would be in a secondary position when alternate coverage exists. If COB is to accomplish its purpose, all plans must adhere to the structure set forth in the Model COB regulations.

Basic NAIC Rules for COB

Birthday Rule: The primary coverage is determined by the birthday that falls earliest in the year, understanding both spouses are employed and have coverage. Only the day and month are taken into consideration. If both members have the same date of birth, the plan which covered the member the longest is considered primary

General Rules: The following are general rules to follow to determine a primary carrier:

If The Member/ Beneficiary....	The Below Conditions Exists	Then The Below Program Pays First	The Below Program Pays Secondary
Is age 65 or older, and is covered by a Group Health Plan (GHP) through current employment or a family member's current employment	The employer has more than 20 employees, or at least one employer is a multi-employer group that employs 20 or more employees	GHP pays primary	West Virginia Senior Advantage /Medicare pays secondary
Is age 65 or older and is covered a GHP through current employment or a family members current employment	The employer has less than 20 employees	West Virginia Senior Advantage /Medicare pays primary	GHP pays secondary
Is entitled based on disability and is covered by a Large Group Health Plan (LGHP) through his/her current employment or through a family members current employment	The employer has 100 or more employees or at least one employer is a multi-employer group that employs 100 or more employees	LGHP pays primary	West Virginia Senior Advantage / Medicare pays secondary
Is entitled based on disability and is covered by a LGHP through his/her current employment or through a family members current employment	The employer employs less than 100 employees	West Virginia Senior Advantage /Medicare pays primary	LGHP pays secondary
Is age 65 or older or entitled based on disability and has retirement insurance only	Does not matter the number of employees	West Virginia Senior Advantage /Medicare pays primary	Retirement Insurance pays secondary

Is age 65 or older or is entitled based on disability and has COBRA coverage	Does not matter the number of employees	West Virginia Senior Advantage /Medicare pays primary	COBRA pays secondary
Becomes dually entitled based on age/ESRD	Had insurance prior to becoming dually entitled with ESRD as	GHP pays primary for the first 30 months	West Virginia Senior Advantage /Medicare pays secondary (after 30

If The Member/ Beneficiary....	The Below Conditions Exists	Then The Below Program Pays First	The Below Program Pays Secondary
	in block one above		months West Virginia Senior Advantage pays primary
Becomes dually entitled based on age/ESRD but then retires and keeps retirement insurance	Had insurance prior to becoming dually entitled with ESRD as in block one above and then retired	The Retirement Insurance pays primary for the first 30 months	West Virginia Senior Advantage /Medicare pays secondary (after 30 months West Virginia Senior Advantage pays primary)
Becomes dually entitled based on age/ESRD but then obtains COBRA insurance through employer	Had insurance prior to becoming dually entitled with ESRD as in block one above and picks up COBRA coverage	COBRA insurance would pay primary for the first 30 months (or until the member drops the COBRA coverage	West Virginia Senior Advantage /Medicare pays secondary (after 30 months West Virginia Senior Advantage pays primary)
Becomes dually entitled based on disability/ESRD	Had insurance prior to becoming dually entitled with ESRD as in block three above	LGHP pays primary	West Virginia Senior Advantage /Medicare pays secondary (after 30 months West Virginia Senior Advantage pays primary)
Becomes dually entitled based on disability/ESRD but then obtains COBRA insurance through employer	Had insurance prior to becoming dually entitled with ESRD as in block three above and picks up the COBRA coverage	COBRA insurance would pay primary for the first 30 months or until the member drops the COBRA coverage	West Virginia Senior Advantage /Medicare pays secondary (after 30 months West Virginia Senior Advantage pays primary) 30 months West Virginia Senior Advantage pays primary)

Basic Processing Guidelines for COB

For West Virginia Senior Advantage to be responsible as either the primary or secondary carrier, the member must follow all HMO rules (i.e. pay co-pays and follow appropriate referral process).

When West Virginia Senior Advantage is the secondary insurance carrier:

- All West Virginia Senior Advantage guidelines must be met in order to reimburse the provider (i.e. precertification, referral forms, etc.).
- The provider collects only the co-payments required.

- Be sure to have the member sign the “assignment of benefits” sections of the claim form.
- Once payment and/or EOB are received from the other carriers, submit another copy of the claim with the EOB of West Virginia Senior Advantage for reimbursement. Be sure to note all authorization numbers on the claims and attach a copy of the referral form.

When West Virginia Senior Advantage is the primary insurance carrier:

- The provider collects the co-payment required under the member’s West Virginia Senior Advantage Plan.
- Submit the claim to West Virginia Senior Advantage first.
- Be sure to have the member sign the “assignment of benefits” sections of the claim form.
- Once payment and/or remittance advise (RA) has been received from West Virginia Senior Advantage, submit a copy of the claim with the RA to the secondary carrier for adjudication.

Please note that West Virginia is a total replacement for Medicare. Medicare cannot be secondary when members have West Virginia Senior Advantage.

Worker’s Compensation

West Virginia Senior Advantage does not cover worker’s compensation claims. When a provider identifies medical treatment as related to an on-the-job illness or injury, West Virginia Senior Advantage must be notified. The provider will bill the worker’s compensation carrier for all services rendered, not West Virginia Senior Advantage.

Subrogation

Subrogation is the coordination of benefits between a health insurer and a third-party insurer (i.e. property and casualty insurer, automobile insurer, or worker’s compensation carrier), not two health insurers.

Claims involving Subrogation or Third-Party Recovery (TPR) will be processed internally by the West Virginia Senior Advantage Claims Department. COB protocol, as mentioned above, would still apply in the filing of the claim.

Members who may be covered by third party liability insurance should only be charged the required co-payment. The bill can be submitted to the liability insurer. The provider should submit the claim to West Virginia Senior Advantage with any information regarding the third-party carrier. All claims will be processed per the usual claim’s procedures.

For claims related questions, please contact your local West Virginia Senior Advantage Provider Services Department at: (844) 854-6888. A Network Services Representative will gladly provide assistance.

Appeals

An appeal is a reconsideration of a previous decision not to approve or pay for a service, including a level of care decision (includes not just outright denials, but also “partial” ones). Your appeal will receive an independent review (made by someone not involved in the initial decision). Requesting an appeal does not guarantee that your request will be approved, or your claim paid. The appeal decision may still be to uphold the original decision.

An appeal must be submitted to the address/fax listed below within 60 days, unless otherwise specified, from the original decision or the time frame specified in your contract of the receipt of

the decision. You must include with your appeal request a copy of your denial, any medical records that would support why the service is needed, and if for a hospital stay, a copy of the insurance verification done at time of admission.

Part C Appeals Phone and Fax Number: Phone 1-844-854-6888, TTY 711, and fax, 1-800-903-0271.

HEALTHCARE EFFECTIVENESS DATA AND INFORMATION SET (HEDIS®)

HEDIS (a standardized data set) is developed and maintained by NCQA, an accrediting body for managed care organizations. The HEDIS measurements enable comparison of performance among managed care plans. The sources of HEDIS data include administrative data (claims/encounters) and medical record review data. HEDIS measurements include measures such as Comprehensive Diabetes Care, Adult Access to Ambulatory and Preventive Care, Controlling High Blood Pressure, Breast Cancer Screening, and Colorectal Cancer Screening.

Plan-wide HEDIS measures are reported annually and represent a mandated activity for health plans contracting with CMS. Each spring, West Virginia Senior Advantage Representatives will be required to collect from practitioner offices copies of medical records to establish HEDIS scores. Selected practitioner offices will be contacted and requested to assist in these medical record collections.

All records are handled in accordance with West Virginia Senior Advantage's privacy policies and in compliance with the Health Insurance Portability and Accountability Act (HIPAA) Privacy rules. Only the minimum necessary amount of information, which will be used solely for the purpose of this HEDIS initiative, will be requested. HEDIS is considered a quality-related health care operation activity and is permitted by the HIPAA Privacy Rule [see 45 CFR 164.501 and 506]. West Virginia Senior Advantage's HEDIS results are available upon request. Contact the health plan's Quality Improvement Department to request information regarding those results. HEDIS® is a registered trademark of NCQA.

BEHAVIORAL HEALTH

West Virginia Senior Advantage provides comprehensive mental health and substance abuse services to its members. Its goal is to treat the member in the most appropriate, least restrictive level of care possible, and to maintain and/or increase functionality. West Virginia Senior Advantage's network is comprised of mental health and substance abuse services and providers who treat members with behavioral health care needs.

West Virginia Senior Advantage's priority is ensuring that member's behavioral health needs are met. WVSA NPs utilize a holistic clinical approach in order to identify and address behavioral health needs. Members who warrant behavioral health intervention are provided appropriate education, care coordination, and support to increase member knowledge and encourage compliance with treatment and medications.

West Virginia Senior Advantage collaborates with providers to deliver quality behavioral health services and encourages ongoing exchange of information among physical and behavioral health providers. Integration and communication among WVSA NPs, behavioral health providers and physical health providers is instrumental in achieving desired behavioral health outcomes.

Referrals for Behavioral Health services are not required, and Members can self-refer for evaluation. Treatment plan recommendations should be communicated to the primary care physician and WVSA NP and will be evaluated for medical necessity. Ongoing behavioral health services require a review of the updated Member status and treatment recommendations by the primary care physician or WVSA NP.

Behavioral Health Services

Behavioral Health services are available and provided for the early detection, prevention, treatment, and maintenance of the member's behavioral health care needs. Behavioral health services are interdisciplinary and multidisciplinary: a member may need one or multiple types of behavioral health providers, and the exchange of information among these providers is essential. Mental health and substance abuse benefits cover the continuum of care from the least restrictive outpatient levels of care to the most restrictive inpatient levels of care. Services include but are not limited to:

- Access to West Virginia Senior Advantage's Member Services Department for orientation and guidance
- Routine outpatient services to include psychiatrist, addictionologist, licensed psychologist and LCSWs, and psychiatric nurse practitioners. PCPs may provide behavioral health services within his/her scope of practice
- Initial evaluation and assessment
- Individual and group therapy
- Psychological testing according to established guidelines and needs
- In-patient hospitalization
- Inpatient and out-patient detoxification treatment
- Medication management
- Partial hospitalization programs

Responsibilities of Behavioral Health Providers:

West Virginia Senior Advantage encourages behavioral health providers to become part of its network. Their responsibilities include but are not limited to:

- Provide treatment in accordance with accepted standards of care
- Provide treatment in the least restrictive level of care possible
- Communicate on a regular basis with other medical and behavioral health practitioners who are treating or need to treat the member

Responsibilities of the Primary Care Physician:

The PCP can participate in the identification and treatment of their member's behavioral health needs. His/her responsibilities include:

- Screening and early identification of mental health and substance abuse issues
- Treating members with behavioral health care needs within the scope of his/her practice and according to established clinical guidelines. These can be members with co-morbid physical and minor behavioral health problems or those members refusing to access a mental health or substance abuse provider, but requiring treatment
- Consultation and/or referral of complex behavioral health patients or those not responding to treatment
- Communication with other physical and behavioral health providers on a regular basis

Access to Care:

Members may access behavioral health services as needed:

- Members may self-refer to any in-network behavioral health provider for initial assessment and evaluation, and ongoing outpatient treatment.
- Members may access their PCP and discuss their behavioral health care needs or concerns and receive treatment that is within their PCP scope of practice. They may request a referral to a behavioral health practitioner. Referrals, however, are not required to receive most in-network mental health or substance abuse services.
- Members and providers may call Customer Service to receive orientation on how to access behavioral health services, provider information, and prior authorizations at 1-844-854-6888, TTY 711.

Medical Record documentation:

When requesting prior authorization for specific services or billing for services provided, behavioral health providers must use the DSM-IV multi-axial classification system and document a complete diagnosis. The provision of behavioral health services requires progress note documentation that corresponds with day of treatment, the development of a treatment plan, and discharge plan as applicable for each member in treatment.

Continuity of Care:

Continuity of Care is essential to maintain member stability. As a part of the care transition process, the WVSA NP will work with the primary care team to advocate for the member's well-being through transitions across care settings. The WVSA NP will collaborate with the interdisciplinary team to ensure that the highest quality of health care will be delivered to the member

The West Virginia Senior Advantage NPs and RNs understand how coordinated health care improves the care of this vulnerable membership, and will work to ensure coordinated care by:

- Providing members and caregivers/families one accountable point of contact – the assigned WVSA NP and/or RN
- Educating members and caregivers/families on member diagnoses upon return to SNF
- Setting goals that promote coordinated care
- Making and keeping specific tasks/appointments, follow up items with members
- Coordinating care within and across treatment settings between external and internal stakeholders
- Creating a process through which health care providers can communicate with one another about the member's care
- Making member preferences known and accessible to all health care providers

UTILIZATION MANAGEMENT

West Virginia Senior Advantage's Utilization Management Department coordinates health care services to ensure appropriate utilization of health care resources. This coordination assures promotion of the delivery of services in a quality-oriented, timely, clinically appropriate, and cost-effective manner for the members.

West Virginia Senior Advantage Utilization Management staff base their utilization-related decisions on the clinical needs of members, MCG™ Guidelines, the appropriateness of care, Medicare National Coverage Guidelines, health care objectives, and scientifically based clinical West Virginia Senior Advantage (HMO SNP Plan)

criteria and treatment guidelines in the context of provider and/or member-supplied clinical information and other such relevant information. Authorizations are based on medical necessity only and are not a guarantee of payment.

West Virginia Senior Advantage in no way rewards or incentivizes, either financially or otherwise, practitioners, utilization reviewers, clinical care managers, physician advisers or other individuals involved in conducting utilization review, for issuing denials of coverage or service, or inappropriately restricting care.

Goals

- To ensure that services are authorized at the appropriate level of care;
- To monitor utilization practice patterns of West Virginia Senior Advantage's contracting physicians, contracting hospitals, contracting ancillary services, and contracting specialty providers;
- To provide a system to identify high-risk members and ensure that appropriate care is accessed;
- To provide utilization management data for use in the process of re-credentialing providers;
- To educate members, physicians, contracted hospitals, ancillary services, and specialty providers about West Virginia Senior Advantage's goals for providing quality, value-enhanced managed health care; and
- To improve utilization of West Virginia Senior Advantage's resources by identifying patterns of over- and under-utilization that have opportunities for improvement.

Departmental Functions

- Prior Authorization
- Referral Management
- Concurrent Review
- Discharge Planning
- Continuity of Care

Prior Authorization

The PCP, WVSA NP, or Specialist is responsible for requesting prior authorization of all scheduled admissions or services/procedures, for referring a member for an elective admission, and outpatient service. West Virginia Senior Advantage recommends clarifying need for prior authorization and/or obtaining prior authorization at least five (5) days in advance of the admission, procedure, or service. Requests for prior authorization are prioritized according to level of medical necessity. For prior authorizations, providers should call: 1-844-854-6888, TTY 711.

You may either complete the prior authorization form, found on our website (<https://www.wvsenioradvantage.com/providers-partners/>) and submit it via fax: **1-813-472-7429**; or submit your request via our online portal 24 hours per day, 7 days per week at: <https://optumprovider.prod.healthaxis.net/login>

Services requiring prior authorization are listed on West Virginia Senior Advantage's website under the Provider Resources tab. The presence or absence of a service or procedure on the list does not determine coverage or benefits. Call the Member Services Department to verify benefits, coverage, and member eligibility.

The Utilization Management Department, under the direction of licensed nurses and medical directors, documents and evaluates requests for authorization, including:

- Verification that the member is enrolled with West Virginia Senior Advantage at the time of the request for authorization and on each date of service.
- Verification that the requested service is a covered benefit under the member's benefit package.
- Determination of the appropriateness of the services (medical necessity).
- Verification that the service is being provided by the appropriate provider and in the appropriate setting.
- Verification of other insurance for coordination of benefits.

The Utilization Management Department documents and evaluates requests utilizing CMS guidelines as well as nationally accepted criteria, processes the authorization determination, and notifies the provider of the determination. Examples of information required for a determination include, but are not limited to:

- Member name and identification number
- Location of service (e.g., hospital or outpatient surgical center setting)
- Primary Care Physician name
- Servicing/Attending physician name
- Date of service
- Diagnosis
- Service/Procedure/Surgery description and CPT or HCPCS code
- Clinical information supporting the need for the service to be rendered

For members who go to an emergency room for treatment, an attempt should be made in advance to contact the PCP or WVSA NP, unless it is not medically feasible due to a serious condition that warrants immediate treatment.

If a member appears at an emergency room for care which is non-emergent, the PCP or WVSA NP should be contacted for direction. The member may be financially responsible for payment if the care rendered is non-emergent. West Virginia Senior Advantage also utilizes urgent care facilities to treat conditions that are non-emergent but require immediate treatment.

Please be prepared to discuss and supply documentation regarding the member's condition and treatment plan with West Virginia Senior Advantage when calling for prior authorization. As stated above for prior authorizations, providers should call: **1-844-854-6888, TTY 711**

Decisions and Time Frames

Emergency - Authorization is not required but Notification is required.

An Emergency Medical Condition is a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that a prudent layperson, with an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in:

- Serious jeopardy to the health of the individual or, in the case of a pregnant woman, the health of the woman or her unborn child;
- Serious impairment to bodily functions; or

- Serious dysfunction of any bodily organ or part

Expedited – An expedited authorization request can be requested when you as a physician believe that waiting for a decision under the routine time frame could place the member’s life, health, or ability to regain maximum function in serious jeopardy you may request an expedited request. Expedited requests will be determined within 72 hours or as soon as the member’s health requires.

Routine –If all information is submitted at the time of the request, CMS mandates a health plan determination within 14 calendar days.

Once the Utilization Management Department receives the request for authorization, West Virginia Senior Advantage will review the request using nationally recognized industry standards or local coverage determination criteria. If the request for authorization is approved, West Virginia Senior Advantage will assign an authorization number and enter the information in the Plan’s medical management system. This authorization number can be used to reference the admission, service, or procedure.

The requesting provider has the responsibility of notifying the member that services are approved and documenting the communication in the medical record.

Notification

Facilities are responsible for Admission Notification for the following inpatient admissions. We need admission notification, even if advance/prior notification was provided by the physician or facility, and pre-service coverage approval is on file:

- Planned/elective admissions for acute care
- Acute inpatient rehabilitation
- Long-term acute care
- Unplanned admissions for acute care
- Admissions following outpatient surgery
- Admissions following observation

Weekday admissions, you must notify us within 24 hours, unless otherwise indicated. Weekend and holiday admissions, you must notify us by 5 p.m. local time on the next business day.

Emergency admissions (when a member is unstable and not capable of providing coverage information), you must:

- Notify us by phone or fax with 24 hours, or the next business day if on a weekend/holiday, from the time coverage information is known
- When notifying us, you must communicate the extenuating circumstances
- Payment is not reduced due to notification delay in an emergency.
- Receipt of an admission notification does not ensure payment. Payment for covered services depends on the member’s benefits, facility’s contract, claim processing requirements, and eligibility for payment.
- You must include these details in your admission notification:
 - Member name, health care ID number, and date of birth
 - Facility name and TIN or NPI
 - Admitting/attending physician name and TIN or NPI
 - Description for admitting diagnosis or ICD-10-CM diagnosis code
 - Actual admission date

- Extenuating circumstances, if an emergency admission

All Skilled Nursing Facility admissions for members must be authorized by the WVSA NP. Claims may be denied if authorizations are not coordinated through WVSA.

Referral Process

The Primary Care Physician (PCP) or WVSA NP is the member's primary point of entry into the health care delivery system for all outpatient specialist care.

The PCP is expected to work collaboratively with specialists in order to provide the best possible care for West Virginia Senior Advantage members. The specialist is expected to partner/consult with the members PCP prior to scheduling a visit (except urgent/emergent visits). The specialist is also required to communicate to the PCP via consultation reports any significant findings, recommendations for treatment and the need for any ongoing care.

Please note that we value the PCPs' role in taking care of our West Virginia Senior Advantage members and that the PCP has a very important role in directing the member to the appropriate specialist based on your knowledge of the patient's condition and health history. It is also essential that members are directed to participating providers only. In order to ensure this, please refer to our online directory or contact the Provider Services Department for assistance.

Referral Guidelines

- PCPs should refer only to West Virginia Senior Advantage participating specialists for outpatient visits.
- Non-participating specialist's visits require prior authorization by West Virginia Senior Advantage.

Primary Care Physician's Referral Responsibilities

A PCP is responsible for ensuring a member has a referral prior to the appointment with the specialist.

Specialist Physician's Referral Responsibilities

Specialists must have a referral from a PCP prior to seeing a member. If a referral is not in place, specialists must contact the member's PCP before the office visit.

Or, the specialist may call the West Virginia Senior Advantage Utilization Management Department to verify.

Instructions for a Specialist to Obtain Referrals

The specialist can obtain referrals directly for the member with the following limits:

1. The PCP referred the member to the specialist.
2. The following four (4) conditions must be met:
 - a. Diagnosis must be related to the specialty and/or service to be obtained
 - b. Must be a covered benefit of the health plan
 - c. The member must be currently under the care of the referring specialist
 - d. Referral must be made to a participating provider
3. The specialist provides follow-up documentation to the PCP for all referrals obtained for further specialty care.
4. Referrals for the following specialty care are excluded from this process and must be West Virginia Senior Advantage (HMO SNP Plan)

referred back to the PCP to obtain referral: Non-participating providers, Chiropractor, Dermatology, Otolaryngology, Maxillofacial Surgeon, Podiatry, Optometry, Transplant, Specialist, and Reconstructive (Plastic) Surgeon with the exception of breast reconstruction.

5. The referral should be obtained prior to the services being rendered.
6. Promote member safety as an overriding consideration in decision-making.

If a member is in an active course of treatment with a specialist at the time of enrollment, West Virginia Senior Advantage will evaluate requests for continuity of care. A PCP referral is not required, but an authorization must be obtained from West Virginia Senior Advantage's Prior Authorization Department.

Please note: A specialist may not refer the patient directly to another specialist. If a patient needs care from another specialist, he/she must obtain the referral from his/her PCP.

Self-Referrals

Please refer to West Virginia Senior Advantage's website to view the current Provider Directory for participating Specialists. If a member has a preference, the PCP should accommodate this request if possible. The only exceptions where the member may self-refer are:

- To a participating Gynecologist for annual gynecological exam and to see a non-participating OB/GYN. The PCP may perform the annual exam if agreed upon by the member.
- Mental health referrals to West Virginia Senior Advantage's Behavioral Health Care.
- Vision Exams – Members who have a Vision benefit may self-refer to a participating provider.

Retrospective Review

Retrospective review is the process of determining coverage for clinical services by applying guidelines/criteria to support the claim adjudication process after the opportunity for prior authorization or concurrent review timeframe has passed. After confirming the member's eligibility and the availability of benefits at the time the service was rendered, providers should submit all supporting clinical documentation with the request for review and subsequent reimbursement to: 1-844-854-6888, TTY 711.

The requesting provider has the responsibility of notifying the member that services are approved and documenting the communication in the medical record.

Concurrent Review

Concurrent Review is the process of initial assessment and continual reassessment of the medical necessity and appropriateness of inpatient care during an acute care hospital admission, rehabilitation admission or SNF or other inpatient admission in order to ensure:

- Covered services are being provided at the appropriate level of care; and
- Services are being administered according to the individual facility contract.

West Virginia Senior Advantage requires admission notification for the following:

- Elective Admissions
- ER and Urgent Admissions
- Transfers to Acute Rehabilitation, LTAC, and Non-referring Skilled Nursing Facilities
- Admissions following outpatient procedures or observation status

- Observation Status

Emergent or urgent admission notification must be received within twenty-four (24) hours of admission or next business day, whichever is later, even when the admission was prescheduled. If the member's condition is unstable and the facility is unable to determine coverage information, West Virginia Senior Advantage requests notification as soon as it is determined, including an explanation of the extenuating circumstances. Timely receipt of clinical information supports the care coordination process to evaluate and communicate vital information to hospital professionals and discharge planners. Failure to comply with notification timelines or failure to provide timely clinical documentation to support admission or continued stay could result in an adverse determination.

West Virginia Senior Advantage's Utilization Management Department complies with individual facility contract requirements for concurrent review decisions and timeframes. West Virginia Senior Advantage's nurses, utilizing CMS guidelines and Milliman Care Guidelines (MCG™) review criteria, will conduct medical necessity review. West Virginia Senior Advantage is responsible for final authorization.

West Virginia Senior Advantage's preferred method for concurrent review is to have the facility fax over clinicals within 24 hours of notification or on the last covered day. If clinical information is not received within 72 hours of admission or last covered day, the case will be reviewed for medical necessity with the information West Virginia Senior Advantage has available. Facilities may fax the member's clinical information within 24 hours of notification to 1-813-472-7429.

Review is not required for readmission to the referring SNF (the member's primary nursing facility); however, if the patient is transitioning to an alternate or out-of-network SNF reviews should be faxed to 1-813-472-7429. For these SNF admission requests, a recent physical medicine and rehabilitation (PM&R) or physical, occupational and/or speech therapy consult is requested along with the most recent notes for therapy(ies) or recent medical status and expected skilled treatment and service requirements. Following an initial determination, the Utilization Management nurse will request additional updates from the facility on a case-by-case basis. West Virginia Senior Advantage will render a determination within 24 hours of receipt of complete clinical information. The Utilization Management nurse will make every attempt to collaborate with the facility's utilization or case management staff and request additional clinical information in order to provide a favorable determination. Clinical update information should be received 24 hours prior to the next review date.

A West Virginia Senior Advantage Medical Director reviews all acute, rehab, long-term acute care (LTAC) and SNF confinements that do not meet medical necessity criteria and issues a determination. If the West Virginia Senior Advantage Medical Director deems that the inpatient or SNF confinement does not meet medical necessity criteria, the Medical Director will issue an adverse determination (a denial). The Utilization Management nurse or designee will notify the provider(s) e.g. facility, attending/ordering provider verbally and in writing. The criteria used for the determination is available to the practitioner/facility upon request. To request a copy of the criteria on which a decision is made please contact 1-(844) 854-6888.

In those instances, where the attending provider does not agree with the determination, the provider is encouraged to contact West Virginia Senior Advantage's Medical Director for Peer-to-Peer discussion. The telephone number to contact our Medical Director for the discussion is 1-

(844) 854-6888. Following the Peer-to-Peer discussion, the Medical Director will either reverse the original determination and authorize the confinement or uphold the adverse determination.

For members receiving hospital care and for those who transfer to a non-referring SNF or Acute Inpatient Rehabilitation Care, West Virginia Senior Advantage will approve the request or issue a denial if the request is not medically necessary. West Virginia Senior Advantage will also issue a denial if a member who is already receiving care in an Acute Inpatient Rehabilitation Facility has been determined to no longer require further treatment at that level of care. This document will include information on the members' or their authorized representatives' right to file an expedited appeal, as well as instructions on how to do so if the member or member's physician does not believe the denial is appropriate.

West Virginia Senior Advantage also issues written Notice of Medicare Non-Coverage (NOMNC) determinations in accordance with CMS guidelines. The facility is responsible for delivering the notice to the member or their authorized representative/power of attorney (POA) and for having the member, authorized representative or POA sign the notice within the written time frame listed in the Adverse Determination section of the provider manual. The facility is requested and expected to fax a copy of the signed NOMNC back to Utilization Management Department at the number provided. The NOMNC includes information on members' rights to file a fast-track appeal.

Discharge Planning/Acute Care Management

Discharge Planning is a critical component of the process that begins with an early assessment of the member's potential discharge care needs in order to facilitate transition from the acute setting to the next level of care. Such planning includes preparation of the member and his/her family for any discharge needs along with initiation and coordination of arrangements for placement and/or services required after acute care discharge. West Virginia Senior Advantage utilizes assigned WVSA NPs to coordinate with the facility discharge planning team to assist in establishing a safe and effective discharge plan. All contracted Hospitals, Nursing Homes, Rehab Hospitals, LTACHs, and other inpatient facilities are obligated to allow West Virginia Senior Advantage Nurse Practitioners access to West Virginia Senior Advantage members for purposes of case management and utilization management activities for West Virginia Senior Advantage members.

Advanced Practice Clinician

Each Member will be assigned a WVSA NP who will be responsible for facilitating safe transitions. The West Virginia Senior Advantage NPs understand how coordinated health care improves the care of this vulnerable Membership, and will work to ensure coordinated care by:

- Giving Members and families one accountable point of contact – the assigned WVSA NP
- Educating Members and caregivers on Member diagnoses
- Setting goals that promote coordinated care
- Making and keeping specific tasks/appointments, follow up items with Members
- Coordinating care within and across treatment settings between external and internal stakeholders
- Creating a process through which health care providers can communicate with one another about the Member's care
- Making Member preferences known and accessible to all health care providers

The WVSA NP in collaboration with the PCP, will be the primary point of contact responsible for

coordinating the care transition process; ensuring transition of care protocols are followed; and communicating with the Member, their family, the doctors, and nurse facility staff. West Virginia Senior Advantage is committed to ensuring a safe care transition process and our WVSA NPs will have the following focus:

- Member-Centered Care:
 - The WVSA NP will be a point of contact for communication with the member, their family, the doctors, and nursing staff. Transitions occurring with the member's and/or caregiver and family's input and understanding to the extent possible. The member, caregiver and family engaged and educated as to the reason(s) for the transition, nature and severity of the condition(s) and goals.
 - Transitions consistent with the member's care goals and advance care directives.
 - Transitions including appropriate member and caregiver education.
- Communication
 - Peer to peer communication will be established across sites of care, including the exchange of reliable contact information, for problem-solving and optimization of care to meet the member's specific needs.
 - Information about the member, including medication and care plans, will be collected prior, during and post care transition; for example, prior to admission into the hospital, during the length of stay, and at discharge.
- Safety
 - Safe transitions will rely on:
 - Appropriate assessment of the member prior to transition.
 - Prompt and consistent medication reconciliation upon return to SNF to ensure no discrepancies in administration of medication.
 - Safety will require accurate and timely transition of key information including but not limited to the following:
 - Member's functional and cognitive status
 - Plan of care and advance care directives
 - Current problem list
 - Current treatment regimen, including all necessary equipment needed
 - Allergies
 - Recent labs, consultations, and diagnostic testing results

Members reside in SNF/NF and have facility caregivers who provide continuous support for the member and have the member's ICP available. The SNF/NF caregivers are educated and instructed to contact the WVSA NP when a transition occurs. During transitions, the SNF/NF staff provides elements of the ICP to the receiving facility via transfer forms, verbal reports, or other communication method, as soon as possible to support a seamless transition of care.

The ICP will contain information about the member that facilitates communication, collaboration, and continuity of care across the care sites. The WVSA NP in collaboration with the PCP, will be the primary point of contact responsible for coordinating the care transition process; ensuring transition of care protocols are followed; and communicating with the member, their caregiver/family, the doctors, and nursing facility staff during the care transition.

The PCP and pertinent health professionals will establish a discharge plan, including setting a discharge date and discharge planning goals that best suit the member's needs.

Case Management Services

The West Virginia Senior Advantage Case Management Program is an administrative and clinically proactive process that focuses on coordination of services for members with multiple co-morbidities, complex care needs and/or short-term requirements for care. The Program is designed to work as a partnership between members, providers, and other care management staff. The goal is to provide the best clinical outcomes for members. The central concept is early identification and assignment of a WVSA NP who provides education and measurement of compliance with standards of care. The WVSA NP strives to enhance the member's quality of life, facilitates provision of services in the appropriate setting, and promotes quality cost-effective outcomes. The assigned WVSA NPs have specific clinical expertise and provide support services and coordination of care in conjunction with the treating provider and other members of the medical support team.

Case Management Approach

West Virginia Senior Advantage strives to promote continuity and coordination of care, remove barriers to care, prevent complications and improve member quality of life. It is important to note that West Virginia Senior Advantage treats disease management as a component of the case management continuum, as opposed to a separate and distinct activity.

When a member enrolls with West Virginia Senior Advantage, they are assigned a WVSA NP. The WVSA NP meets with the member and/or their caregiver face to face and establishes themselves as the member's primary point of contact for all of their healthcare needs, including development of the Individualized Care Plan and coordinating all transitions in care.

Assigned WVSA NPs will utilize a Health Risk Assessment Tool (HRAT) that is administered in person.

The HRAT includes the CMS required elements and administration of the HRAT occurs within 90 days of enrollment. Based on the results of the HRA, the members risk level will be determined and stratified as low (green), moderate (yellow), or high (red) risk.

Coordination with Network Providers

West Virginia Senior Advantage offers members' access to a contracted network of facilities, primary care and specialty care physicians, behavioral health, mental health, and alcohol and substance abuse specialists, as well as an ancillary care network. The Provider Directory is made available on the plan's website for all members to access.

- Network providers in their area (by zip code and by specialty)

The provider is a key member of the Interdisciplinary Care Team (ICT). Our assigned WVSA NP will work with you and your staff to meet the unique needs of each member. Assigned WVSA NPs work with members and providers to schedule and prepare for member visits, to make sure that identified care gaps are addressed and to assist in mitigating any non-clinical barriers to care..

Communications

West Virginia Senior Advantage provides multiple communication channels to members. The Plan maintains a full-service inbound call program that allows members to inquire about all aspects of their relationship with the Plan. Outbound member services and care management calls are also made regularly to members to encourage them to participate in clinical programs and assessment activities provided as part of their health care benefit. In addition to telephonic touch points, the Plan regularly provides educational materials to members in response to identified care gaps and

changes in health status.

Program Evaluation

West Virginia Senior Advantage continually monitors its Quality Program, and makes changes as needed to its structure, content, methods, and staffing. Changes to the Program are made under two conditions: (1) changes must benefit members; and (2) changes must be in compliance with applicable regulations and guidance. Changes to the Program are accompanied by policy and procedure revisions and staff training as required. The Program operates under the umbrella of the plan's Quality Improvement Committee which reports to the Board of Directors. It is reviewed and updated annually in collaboration with the Quality Improvement Department.

Confidentiality

West Virginia Senior Advantage is committed to preserving the confidentiality of its members and practitioners. Written policies and procedures are in place to ensure the confidentiality of member information. Patient data gathered during the care management process are available for the purposes of review only and are maintained in a confidential manner. Employees receive confidentiality training that includes appropriate storage and disposal of confidential information. Employees also sign a confidentiality agreement at the time of their initial company orientation.

Continuity of Care

West Virginia Senior Advantage's policy is to provide for continuity and coordination of care with medical practitioners treating the same patient, and coordination between medical and behavioral health services. When a practitioner leaves West Virginia Senior Advantage's network and a member is in an active course of treatment, our Utilization Management staff will attempt to minimize any disruption in care by potentially offering continuity of care services with the current provider for a reasonable period of time.

In addition, members undergoing active treatment for a chronic or acute medical condition will have access to the exiting provider through the current period of active treatment or a maximum of 90 calendar days, whichever is shorter.

If the Plan terminates a participating provider, West Virginia Senior Advantage will work to transition a member into care with a Participating Physician or other provider within West Virginia Senior Advantage's network. West Virginia Senior Advantage is not responsible for the health care services provided by the terminated provider following the date of termination under such circumstances.

West Virginia Senior Advantage also recognizes that new members join our health plan and may have already begun treatment with a provider who is not in West Virginia Senior Advantage's network. Under these circumstances, West Virginia Senior Advantage will work to coordinate care with the provider by identifying the course of treatment already ordered and offering the member a transition period of up to 90 calendar days to complete the current course of treatment.

West Virginia Senior Advantage will honor plans of care (including prescriptions, DME, medical supplies, prosthetic and orthotic appliances, specialist referrals, and any other on-going services) initiated prior to a new member's enrollment for a period of up to 90 calendar days or until the Primary Care Physician evaluates the member and establishes a new plan of care. For additional information about continuity of care or to request authorization for such services, please contact our Prior Authorization Department at 1-(844) 854-6888.

Adverse Determinations

Rendering of Adverse Determinations (Denials)

The Utilization Management staff is authorized to render an administrative denial decision to participating providers based only on contractual terms, benefits or eligibility. Every effort is made to obtain all necessary information, including pertinent clinical information from the treating provider to allow the Medical Director to make appropriate determinations.

Only a West Virginia Senior Advantage Medical Director may render an adverse determination (denial) based on medical necessity, but he/she may also make a decision based on administrative guidelines. The Medical Director, in making the initial decision, may suggest an alternative Covered Service to the requesting provider. If the Medical Director makes a determination to deny or limit an admission, procedure, service or extension of stay, West Virginia Senior Advantage notifies the facility or provider's office of the denial of service. Such notice is issued to the provider and the member, when applicable, documenting the original request that was denied and the alternative approved service, along with the process for appeal.

West Virginia Senior Advantage employees are not compensated for denial of services. The PCP or Attending Physician may contact the Medical Director by telephone to discuss adverse determinations.

Notification of Adverse Determinations (Denials)

The reason for each denial, including the specific utilization review criteria with pertinent subset/information or benefits provision used in the determination of the denial, is included in the written notification, and sent to the provider and/or member as applicable. Written notifications are sent in accordance with CMS and NCQA requirements to the provider and/or member as follows:

- For non-urgent pre-service decisions – within 14 calendar days of the request.
- For urgent pre-service decisions - *within 72 hours or three calendar days of the request.
- For urgent concurrent decisions –*within 24 hours of the request.
- For post-service decisions – within 30 calendar days of the request.

**denotes initial oral notification of the denial decision is provided with electronic or written notification given no later than 3 calendar days after the oral notification*

Peer-to-Peer information is provided.

West Virginia Senior Advantage complies with CMS requirements for written notifications to members, including rights to appeal and grievances. For urgent care requests, West Virginia Senior Advantage notifies the provider(s) only of the decision since the treating or attending practitioner is acting as the member's representative. If the denial is either concurrent or post service (retrospective) and the member is not at financial risk, the member is not routinely notified.

Clinical Practice Guidelines & Reference Material

West Virginia Senior Advantage has adopted evidence based clinical practice guidelines as roadmaps for healthcare decision-making targeting specific clinical circumstances. West Virginia Senior Advantage promotes the use of clinical practice guidelines to:

- define clear goals of care based on the best available scientific evidence

- reduce variation in care and outcomes
- provide a more rational basis for clinical management of some conditions
- comply with accreditation standards and regulatory expectations

West Virginia Senior Advantage developed and maintains a Clinical Practice Guidelines policy, including, but not limited to, the following adopted and implemented guidelines:

- Preventive Care:
 - HEDIS and Best Practices recommendations
- Cardiovascular:
 - American College of Cardiology Foundation/American Heart Association (ACCF/AHA) guidelines (most current)
 - American Heart Association:
https://professional.heart.org/professional/GuidelinesStatements/UCM_316885_Guidelines-Statements.jsp
 - Journal of the American Medical Association (JAMA) 2014 Evidence-Based Guidelines for the Management of High Blood Pressure in Adults
 - Secondary Prevention of Atherosclerotic Cardiovascular Disease in Older Adults: A Scientific Statement from the American Heart Association.
- COPD:
 - National Committee on Quality Assurance. HEDIS 2014 Measures
 - Global Initiative for Chronic Obstructive Lung Disease: <https://goldcopd.org/2021-gold-reports/>
- Diabetes:
 - American Diabetes Association (ADA) Clinical Practice Guidelines:
<https://professional.diabetes.org/content-page/standards-medical-care-diabetes/>
 - Clinical Practice Guidelines. Diabetes Care, January 2014
- Treating Tobacco Use and Dependence:
 - Agency for Healthcare Research and Quality (AHRQ) Treating Tobacco Use and Dependence Clinical Practice Guideline
- Chemical Dependency:
 - American Psychiatric Association (APA) guidelines
 - Asthma Global Initiative for Asthma: <https://ginasthma.org/gina-reports/>
 - American Medical Directors Association Guideline Central:
<https://www.guidelinecentral.com/summaries/organizations/american-medical-directors-association/>
 - NIH – U.S. National Library of Medicine: <https://www.nlm.nih.gov/portals/healthcare.html>
 - Epocrates: <https://www.epocrates.com/>

West Virginia Senior Advantage’s guidelines have been adopted based on valid and reliable clinical evidence from available peer-reviewed, evidence-based standards. West Virginia Senior Advantage will review, revise, and approve these guidelines on an annual basis, as needed, using nationally- recognized, evidenced-based literature.

This information is provided for general reference and not intended to address every clinical situation associated with the conditions and diseases addressed by these guidelines. Physicians and health care professionals must exercise clinical discretion in interpreting and applying this information to individual patients. We hope you will consider this information and use it, when it is appropriate for your eligible patients.

Quality Improvement Program Overview

The purpose of the Quality Improvement Program (QIP) at West Virginia Senior Advantage is to continually take a proactive approach to assure and improve the way the Plan provides care and engages with its members, partners, and other stakeholders so that the Plan may fully realize its vision, mission and commitment to member care. In the implementation of the QIP, West Virginia Senior Advantage will be an agent of change, promoting innovations throughout its health plan organization, sites of care, and in the utilization of resources, including technology, to deliver health care services to meet the health needs of its target population. The QIP is designed to objectively, systematically monitor and evaluate the quality, appropriateness and outcome of care/services delivered to West Virginia Senior Advantage's members. In addition, to provide mechanisms that continuously pursue opportunities for improvement and problem resolution.

Quality improvement activities include the following:

- Monitoring/review of provider accessibility and availability
- Monitoring/review of member satisfaction/grievances
- Monitoring/review of member safety
- Monitoring/review of continuity and coordination of care
- Clinical measurement and improvement monitoring of the SNP Model of Care and all QI activities
- Documentation, analysis, re-measurement and improvement monitoring of member health outcomes
- Chronic Care Improvement Program (CCIP)
- QI Projects
- Collection and reporting of Healthcare Effectiveness data and Information Sets (HEDIS)
- Collection and reporting of Structure and Process measures
- Participation and analysis of the Health Outcomes Survey (HOS)
- Participation and analysis of the CAHPS Survey
- Credentialing and re-credentialing
- Provider peer review oversight
- Clinical practice guidelines
- Monitoring and analysis of under and over utilization
- Monitoring and analysis of adverse outcomes/sentinel events
- Collection and reporting of Part C Reporting Elements (HPMS)
- Collection and reporting of Part D Medication Management data (Pharmacy Department)

Clinical Guidelines Committee

WV Senior Advantage will have a Clinical Guidelines Committee that will review various evidence-based medical protocols and guidelines and adopt them for use by WV Senior Advantage's provider network. The Clinical Guidelines Committee will be composed of board certified medical doctors such as internal medicine, family practice, nephrology and emergency medicine. It will meet regularly to review and update WV Senior Advantage's evidence-based medical protocols, as well as guidelines developed by nationally accredited organizations such as

American Heart Association, American Diabetic Association, American College of Cardiology and National Comprehensive Cancer Network (NCCN).

Continuous Quality Improvement Process

The Continuous Quality Improvement (CQI) process will be utilized when an opportunity for improvement is identified through monitoring of either quality of care or quality of service indicators. The steps in the CQI process will be documented; and results and action plans for improvement will be presented to the Quality Improvement Committee (QIC) for review and approval. These steps will include:

- Determination of the relevance of the issue to the population;
- Evaluation of baseline measure(s);
- Analysis to identify an opportunity for improvement;
- Analysis to identify possible root cause or barriers;
- Planning and implementation of actions to eliminate possible root causes or barriers;
- Evaluation of performance and effectiveness of the interventions by re-measurement after implementing actions;
- Analysis to determine how actions impacted performance; and
- Continued re-measurement to determine whether improvements are sustained.

Proposed Action Plans will be approved by the QIC allowing the impacted departments to move forward with implementation. Subsequent to committee review, an improvement action plan such as a Quality or Process Improvement Project will be developed and implemented. This improvement action plan will contain a description of necessary corrective actions as well as timeframes for implementing the actions and evaluating the outcomes. Specific corrective actions and established timeframes for correction will depend on the type of data or process being addressed.

Quality Improvement Projects

West Virginia Senior Advantage will conduct and/or participate in at least one (1) Quality Improvement Projects each year. In addition to plan-specific Quality Improvement Projects, West Virginia Senior Advantage will also consider collaborative Quality Improvement Projects with CMS, through the QIO, and other health plans in a statewide collaborative.

All Quality Improvement Projects will:

- Focus on significant aspects of clinical care and non-clinical services including:
 - Measurement of performance
 - System interventions, including revising practice guidelines
 - Improving performance
 - Systematic and periodic follow-up on the impact of the interventions
- Assess performance under the Plan using quality indicators:
 - Objective, clearly and unambiguously defined, and based on current clinical knowledge or health services research
 - Capable of measuring outcomes such as changes in health status, functional status and member satisfaction, or valid proxies of those outcomes
- Include performance assessment on selected indicators based on systematic ongoing collection and analysis of valid and reliable data.
- Include interventions which achieve demonstrable improvement.
- Allow status and result reports to be reportable to CMS.

Quality of Care Issues

Quality of Care issues include Clinical Quality Indicators and Quality of Care Complaints. Quality Indicators are those issues that are usually identified by the Utilization Management staff and referred to the appropriate department for investigation and then reported to the Quality Improvement Committee. They may be defined as an adverse outcome occurring in the inpatient or ambulatory care setting that could be indicative of potential inappropriate or incomplete medical care. Quality of Care Complaints are those concerns reported by members, families, or providers that could indicate a potential problem in the provision of quality care and services.

The purpose of identifying these issues is for tracking concerns related to the provision of clinical care and service, evaluating member satisfaction, and trending specific provider involvement with potential quality of care issues. Clinical Quality Indicators include the following:

- Unplanned readmission to the hospital (within 30 days)
- Inpatient hospitalization following outpatient surgery (within 48 hours)
- Post-op complications (including unplanned return to the Operating Room)
- Unplanned removal, injury, or repair of organ or structure during procedure (excludes incidental appendectomy)
- Mortality review (in cases where death was not an expected outcome)
- Primary Care medical record documentation
- Ambulatory follow-up after hospitalization for selected behavioral health diagnosis (HEDIS results)

Quality complaints are categorized as:

- Access to care
- Availability of services
- Clinical quality concerns
- Provider/staff concerns

All Quality-of-Care issues are reviewed and investigated. Quality often requests records from providers and facilities as part of the investigation. Quality of care issues are reviewed by the QIC. Any action taken is documented in the provider's record and reviewed by the Credentialing Committee at the time of recredentialing. Quality of Care issues are highly confidential, and outcomes cannot be shared with the member or provider. All quality of care/service issues may be emailed to the QI Department at WVCompliance@WVSeniorAdvantage.com

Utilization Reporting and Monitoring

Risk-based compensation methods may create incentive for West Virginia Senior Advantage providers and practitioners to limit approval of needed care. Over-utilization may indicate inadequate coordination of care or inappropriate utilization of services. Both under- and over-utilization may be harmful to the patient. Utilizing data from provider and practitioner sites, individual product lines, and the system as a whole, West Virginia Senior Advantage monitors for under- and over-utilization, analyzes data to identify the causes, and takes action to correct any issues identified. West Virginia Senior Advantage then implements appropriate interventions whenever potential problems are identified and will further monitor the effect of these interventions. West Virginia Senior Advantage also carefully ensures that its financial incentives are aligned to encourage appropriate decisions on the delivery of care to members. West Virginia

Senior Advantage unequivocally promises members, providers, and employees that it does not employ incentives to encourage barriers to care and service.

CORPORATE COMPLIANCE PROGRAM

Overview

The purpose of the West Virginia Senior Advantage' Corporate Compliance Program is to articulate a commitment of compliance with pertinent regulatory requirements. It also serves to encourage employees, contractors, and other interested parties to develop a better understanding of the laws and regulations that govern the operations of West Virginia Senior Advantage. Furthermore, the West Virginia Senior Advantage Corporate Compliance Program also ensures that all practices and programs are conducted in compliance with those applicable laws and regulations.

West Virginia Senior Advantage and its subsidiaries are committed to full compliance with federal and state regulatory requirements applicable to our Medicare Advantage and Medicare Part D lines of business. Non-compliance with regulatory standards undermines the business reputation and credibility of West Virginia Senior Advantage with the federal and state governments, subcontractors, pharmacies, providers, and most importantly, its members. West Virginia Senior Advantage and its employees are also committed to meeting all contractual obligations set forth in the West Virginia Senior Advantage contracts with the CMS. These contracts allow West Virginia Senior Advantage to offer Medicare Advantage and Medicare Part D products and services to Medicare beneficiaries.

The Corporate Compliance Program is designed to prevent violations of federal and state laws governing West Virginia Senior Advantage's lines of business, including but not limited to, health care fraud, waste, and abuse laws. In the event such violations occur, the Corporate Compliance Program will promote early and accurate detection, prompt resolution, and, when necessary, disclosure to the appropriate governmental authorities.

West Virginia Senior Advantage has in place, policies, and procedures for coordinating and cooperating with MEDIC (Medicare Drug Integrity Contractor), CMS, State Regulatory Agencies, Congressional Offices, and law enforcement. West Virginia Senior Advantage also has policies that delineate that West Virginia Senior Advantage will cooperate with any audits conducted by CMS, MEDIC or law enforcement or their designees.

Call the West Virginia Senior Advantage Compliance Hotline toll-free at 1-(888) 256-4815.

Fraud, Waste, and Abuse

West Virginia Senior Advantage has policies and procedures to identify fraud, waste, and abuse in its network, as well as other processes to identify overpayments within its network and to properly recover such overpayments. These procedures allow the Plan to report potential fraud or misconduct related to the Medicare program to the appropriate government authority as specified at 42 U.S.C. § 1395w-104 and 42 C.F.R. § 423.504(b)(4)(vi)(H), and West Virginia Senior Advantage has policies and procedures in place for cooperating with CMS and law enforcement entities.

The evaluation and detection of fraudulent and abusive practices by West Virginia Senior Advantage encompasses all aspects of West Virginia Senior Advantage business and its business relationship with third parties, including health care providers and members. All employees, contractors, and other parties are required to report compliance concerns and suspected or actual misconduct without fear of retaliation for reports made in good faith. The Compliance Officer may be contacted in the following manner:

- Anonymously by calling the toll-free Compliance Hotline at 1(888) 256-4815 TTY 711. The Compliance Hotline is a completely confidential resource that can be used by employees, contractors, agents, members, or other parties to voice concerns about any issue that may affect West Virginia Senior Advantage's ability to meet legal or contractual requirements and/or to report misconduct that could give rise to legal liability if not corrected.
- By mail at WVSA Corporate Compliance Officer, 700 Chappell Rd. Charleston, WV 25304.
- Directly by phone at 1(888) 256-4815 TTY 711

All such communications will be kept as confidential as possible, but there may be times when the reporting individual's identity may become known or need to be disclosed to meet requirements of any governmental review actions. Any employee, contractor, or other party that reports compliance concerns in good faith can do so without fear of retaliation.

In addition, as part of an ongoing effort to improve the delivery and affordability of health care to our members, West Virginia Senior Advantage conducts periodic analysis of all levels of Current Procedural Terminology (CPT), ICD-9/ICD-10 and HCPCS codes billed by our providers. The analysis allows West Virginia Senior Advantage to comply with its regulatory requirements for the prevention of fraud, waste, and abuse (FWA), and to supply our providers with useful information to meet their own compliance needs in this area. West Virginia Senior Advantage will review your coding and may review medical records of providers who continue to show significant variance from their peers. West Virginia Senior Advantage endeavors to ensure compliance and enhance the quality of claims data, a benefit to both West Virginia Senior Advantage's medical management efforts and our provider community. As a result, you may be contacted by West Virginia Senior Advantage's contracted partners to provide medical records to conduct reviews to substantiate coding and billing.

In order to meet your FWA obligations, please take the following steps:

- Review and revise your coding policies and procedures for compliance and adherence to CMS guidelines necessary to ensure they are consistent with official coding standards.
- Complete the mandatory online training at www.wvsenioradvantage.com

You may request a copy of the West Virginia Senior Advantage Compliance Program document by contacting West Virginia Senior Advantage Provider Services at 1-(844) 854-6888

MEDICARE ADVANTAGE PROGRAM REQUIREMENTS

The terms and conditions herein are included to meet federal statutory and regulatory requirements of the federal Medicare Advantage Program under Part C of Title XVIII of the Social Security Act ("Medicare Advantage Program"). Provider understands that the specific terms as set forth herein are subject to amendment in accordance with federal statutory and regulatory changes to the Medicare Advantage Program. Such amendment shall not require the consent of

provider or West Virginia Senior Advantage and will be effective immediately on the effective date thereof.

1. **Books and Records; Governmental Audits and Inspections.** Provider shall permit the Department of Health and Human Services (“HHS”), the Comptroller General, or their designees to inspect, evaluate and audit all books, records, contracts, documents, papers and accounts relating to provider’s performance of the Agreement and transactions related to the CMS Contract (collectively, “Records”). The right of HHS, the Comptroller General or their designees to inspect, evaluate and audit provider’s Records for any particular contract period under the CMS Contract shall exist for a period of ten (10) years from the later to occur of (i) the final date of the contract period for the CMS Contractor (ii) the date of completion of the immediately preceding audit (if any) (the “Audit Period”). Provider shall keep and maintain accurate and complete Records throughout the term of the Agreement and the Audit Period.
2. **Privacy and Confidentiality Safeguards.** Provider shall safeguard the privacy and confidentiality of members and shall ensure the accuracy of the health records of members. Provider shall comply with all state and federal laws and regulations and administrative guidelines issued by CMS pertaining to the confidentiality, privacy, data security, data accuracy and/or transmission of personal, health, enrollment, financial and consumer information and/or medical records (including prescription records) of members, including, but not limited, to the Standards for Privacy of Individually Identifiable Information promulgated pursuant to the Health Insurance Portability and Accountability Act.
3. **Member Hold Harmless.** Provider shall not, in any event (including, without limitation, non-payment by West Virginia Senior Advantage or breach of the Agreement), bill, charge, collect a deposit from, seek compensation or remuneration or reimbursement from or hold responsible, in any respect, any member for any amount(s) that West Virginia Senior Advantage may owe to provider for services performed by provider under the Agreement. This provision shall not prohibit provider from collecting supplemental charges, co-payments or deductibles specified in the Benefit Plans. Provider agrees that this provision shall be construed for the benefit of the member and shall survive expiration, non-renewal or termination of the Agreement regardless of the cause for termination.
4. **Delegation of Activities or Responsibilities.** To the extent activities or responsibilities under a CMS Contract are delegated to provider pursuant to the Agreement (“Delegated Activities”), provider agrees that (i) the performance of the Delegated Activities and responsibilities thereof shall be subject to monitoring on an ongoing basis by West Virginia Senior Advantage and (ii) in the event that the West Virginia Senior Advantage or CMS determine that provider has not satisfactorily performed any Delegated Activity or responsibility thereof in accordance with the CMS Contract, applicable State and/or Federal laws and regulations and CMS instructions, then West Virginia Senior Advantage shall have the right, at any time, to revoke the Delegated Activities by terminating the Agreement in whole or in part, and shall have the right to institute corrective action plans or seek other remedies or curative measures as contemplated by the Agreement. Provider shall not further delegate any activities or requirements without the prior written consent of West Virginia Senior Advantage. To the extent that the Delegated Activities include professional credentialing services, provider agrees that the credentials of medical professionals affiliated or contracted with provider will either be (i) directly reviewed by West Virginia Senior Advantage, or (ii) provider’s credentialing process will

be reviewed and approved by West Virginia Senior Advantage and West Virginia Senior Advantage shall audit provider's credentialing process on an ongoing basis. Provider acknowledges that West Virginia Senior Advantage retains the right to approve, suspend or terminate any medical professionals, as well as any arrangement regarding the credentialing of medical professionals. In addition, provider understands and agrees that West Virginia Senior Advantage maintains ultimate accountability under its Medicare Advantage contract with CMS. Nothing in this Agreement shall be construed to in any way limit West Virginia Senior Advantage's authority or responsibility to

5. **Prompt Payment.** West Virginia Senior Advantage agrees to pay provider in compliance with applicable state or federal law following its receipt of a "clean claim" for services provided to West Virginia Senior Advantage members. For purposes of this provision, a clean claim shall mean a claim for provider services that has no defect or impropriety requiring special treatment that prevents timely payment by West Virginia Senior Advantage.
6. **Compliance with West Virginia Senior Advantage's Obligations, Provider Manual, Policies and Procedures.** Provider shall perform all services under the Agreement in a manner that is consistent and compliant with West Virginia Senior Advantage's contract(s) with CMS (the "CMS Contract"). Additionally, provider agrees to comply with the West Virginia Senior Advantage Provider Manual and all policies and procedures relating to the Benefit Plans.

Subcontracting. West Virginia Senior Advantage maintains ultimate accountability for adhering to and otherwise fully complying with all terms and conditions of its contract with CMS. Provider shall not subcontract for the performance of Covered Services under this Agreement without the prior written consent of West Virginia Senior Advantage. Every subcontract between provider and a subcontractor shall (i) be in writing and comply with all applicable local, State and federal laws and regulations; (ii) be consistent with the terms and conditions of this Agreement; (iii) contain West Virginia Senior Advantage and member hold harmless language as set forth in Section 3 hereof; (iv) contain a provision allowing West Virginia Senior Advantage and/or its designee access to such subcontractor's books and records as necessary to verify the nature and extent of the Covered Services furnished and the payment provided by provider to subcontractor under such subcontract; and (v) be terminable with respect to members or Benefit Plans upon request of West Virginia Senior Advantage.

7. **Compliance with Laws.** Provider shall comply with all State and Federal laws, regulations and instructions applicable to provider's performance of services under the Agreement. Provider shall maintain all licenses, permits and qualifications required under applicable laws and regulations for provider to perform the services under the Agreement. Without limiting the above, provider shall comply with Federal laws designed to prevent or ameliorate fraud, waste and abuse, including but not limited to applicable provisions of Federal criminal law, the False Claims Act (31 U.S.C. 3729 et. seq.) and the anti-kickback statute (section 1128B(b) of the Social Security Act).
8. **Program Integrity.** Provider represents and warrants that provider (or any of its staff) is not and has not been (i) sanctioned under or listed as debarred, excluded or otherwise ineligible for participation in the Medicare program or any Federal program involving the provision of health care or prescription drug services, or (ii) criminally convicted or has a civil judgment entered against it for fraudulent activities. Provider shall notify West Virginia Senior Advantage immediately if, at any time during the term of the Agreement, provider (or any of its staff) is (i) sanctioned under or listed as debarred, excluded or otherwise ineligible for participation in the Medicare program or any Federal program involving the provision of health care or prescription drug services, or (ii) criminally

convicted or has a civil judgment entered against it for fraudulent activities. Provider acknowledges that provider's participation in West Virginia Senior Advantage shall be terminated if provider (or any of its staff) is debarred, excluded or otherwise ineligible for participation in the Medicare program or any Federal program involving the provision of health care or prescription drug services.

9. **Continuation of Benefits.** Provider shall continue to provide services under the Agreement to members in the event of (i) West Virginia Senior Advantage's insolvency, (ii) West Virginia Senior Advantage's discontinuation of operations or (iii) termination of the CMS Contract, throughout the period for which CMS payments have been made to West Virginia Senior Advantage, and, to the extent applicable, for members who are hospitalized, until such time as the member is appropriately discharged.
10. **Incorporation of Other Legal Requirements.** Any provisions now or hereafter required to be included in the Agreement by applicable Federal and/or State laws and regulations or by CMS shall be binding upon and enforceable against the parties to the Agreement and be deemed incorporated herein, irrespective of whether or not such provisions are expressly set forth in this Manual or elsewhere in your Agreement.
11. **Conflicts.** In the event of a conflict between any specific provision of your Agreement and any specific provision of the Manual, the specific provisions of this Manual shall control.

DISPUTE RESOLUTION

Any controversy, dispute or claim arising out of or relating to your Provider Agreement ("Agreement") or the breach thereof, including any question regarding its interpretation, existence, validity or termination, that cannot be resolved informally, shall be resolved by arbitration in accordance with this Section, provided however that a legal proceeding brought by a third party against West Virginia Senior Advantage, an Affiliate, provider, or any provider ("Defendant"), any cross-claim or third party claim by such Defendant against West Virginia Senior Advantage, an Affiliate, provider, or any provider Facility shall not be subject to arbitration unless agreed differently in mutually executed provider agreement. In the event arbitration becomes necessary, such arbitration shall be initiated by either Party making a written demand for arbitration on the other Party.

The arbitration shall be conducted in the county where the majority of the services are performed, in accordance with the Commercial Arbitration Rules of the American Arbitration Association, as they are in effect when the arbitration is conducted, and by an arbitrator knowledgeable in the health care industry. The Parties agree to be bound by the decision of the arbitrator.

The Parties further agree that the costs, fees and expenses of arbitration will be borne by the non-prevailing party. Notwithstanding this Agreement to arbitrate, West Virginia Senior Advantage, an Affiliate, provider, or any provider Facility may seek interim and/or permanent injunctive relief pursuant to this Agreement in the county where the majority of the services are performed in any court of competent jurisdiction. With respect to disputes arising during the life of this Agreement, this Section shall survive the termination or expiration of the Agreement.