NEW YORK STATE DEPARTMENT OF HEALTH
DIVISION OF HEALTH PLAN CONTRACTING AND OVERSIGHT
ARTICLES 44 AND 49 STATEMENT OF DEFICIENCIES

NAME OF MANAGED CARE ORGANIZATION MVP Health Plan, Inc.	**TYPE OF SURVEY:** Mental Health Parity and Addiction Equity Act (MHPAEA) Compliance Virtual Focus Survey **Survey ID # 1689088062**
STREET ADDRESS, CITY, STATE, ZIP CODE 625 State Street Schenectady, NY 12305	**SURVEY DATES:** July 24, 2023 – September 11, 2024

NOTE: The following list of deficiencies was identified by Health Department representatives during an Article 44 and/or Article 49 operational or focused survey of your Managed Care Organization (MCO). Correction of these deficiencies is required in order to bring your MCO into compliance with Article 44 and/or 49 of the New York State Public Health Law and the New York State Official Compilation of Codes, Rules, and Regulations (10NYCRR). In the column headed Provider Plan of Correction, describe the Plan of Corrective Action and anticipated date of corrections. The Plan of Correction should be returned within 15 business days.

Deficiencies	Plan of Correction with Timetable

10 NYCRR 98- 4.4 Mental health and substance use disorder parity compliance program (a) Every MCO shall adopt and implement a compliance program that shall include at a minimum: (1) designation of an appropriately experienced individual who shall: (i) be responsible for assessing, monitoring, and managing parity compliance; (ii) report directly to the MCO's chief executive officer or other senior manager; and (iii) report no less than annually to the MCO's board of directors or other governing body, or the appropriate committee thereof, on the activities of the compliance program; 2) written policies and procedures that implement the compliance program, and that describe how the MCO's parity compliance is assessed, monitored, and managed, including: (i) a system for assigning each benefit to the defined benefit classifications as required by MHPAEA; (ii) methodologies for the identification and testing of all financial requirements and quantitative treatment limitations; and (iii) methodologies for the identification and testing, including a comparative analysis, of all non-quantitative treatment limitations that are imposed on mental health or substance use disorder benefits; (3) methodologies for the identification and remediation of improper practices, as described in paragraph (1) of subdivision (b) of this section; (4) a system for the ongoing assessment of parity compliance….	Description of the Review, Revision and Correction Completed
	
	MVP will review and revise the following NQTL comparative analyses below to ensure sufficient, complete comparative analyses to demonstrate compliance with MHPAEA. MVP has been monitoring operational metrics for the NQTLs identified below to ensure mental health parity compliance, however, as part of MVP's ongoing efforts to ensure meaningful comparative analyses, and as part of MVP's Plan of Correction, MVP is revising the following NQTLs identified and outlined below:
	
	Concurrent Review:
	• In-Operation Compliance for Concurrent Review (Inpatient & Outpatient): MVP will update the Concurrent Review NQTL for the inpatient and outpatient classifications with the following data to demonstrate and document in-operation compliance with MHPAEA. This data will be obtained and reviewed by MVP's Mental Health Parity Compliance Officer.
	  ○ Annual inter-rater reliability testing, with a minimum score of 85%
	  ○ Quarterly Quality Control results with a minimum score of 95%
	  ○ Quarter over quarter current year:
	  ▪ Percentage of concurrent review requests denied for M/S compared to MH and SUD
	  ▪ Percentage of concurrent review requests denied for M/S compared to MH and SUD
	  ▪ Percentage of denials upheld on first appeal

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NEW YORK STATE DEPARTMENT OF HEALTH
ARTICLE 44 STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION
CONTINUATION SHEET

Name of Managed Care Organization MVP Health Plan, Inc.	**Survey Dates:** July 24, 2023 – September 11, 2024 **Survey ID # 1689088062**
Deficiencies	**Plan of Correction with Timetable**

PHL § 4406 Health maintenance organizations; regulation of contracts
1. The contract between a health maintenance organization and an enrollee shall be subject to regulation by the superintendent as if it were a health insurance subscriber contract, and shall include, but not be limited to, all mandated benefits required by article forty-three of the insurance law. Such contract shall fully and clearly state the benefits and limitations therein provided or imposed, so as to facilitate understanding and comparisons, and to exclude provisions which may be misleading or unreasonably confusing. Such contract shall be issued to any individual and dependents of such individual and any group of one hundred or fewer employees or members, exclusive of spouses and dependents, or to any employee or member of the group, including dependents, applying for such contract at any time throughout the year. An individual direct payment contract shall be issued only in accordance with section four thousand three hundred twenty-eight of the insurance law. The superintendent may, after giving consideration to the public interest, exempt a health maintenance organization from the requirements of this section provided that another health insurer or health maintenance organization within the health maintenance organization's same holding company system, as defined in article fifteen of the insurance law, including a health maintenance organization operated as a line of business of a health service corporation licensed under article forty-three of the insurance law, offers coverage that, at a minimum, complies with this section and provides all of the consumer protections required to be provided by a health maintenance organization pursuant to this chapter and regulations, including those consumer protections contained in sections four thousand four hundred three and four thousand four hundred eight-a of this chapter. The requirements shall not apply to a health maintenance organization exclusively serving individuals enrolled pursuant to title eleven of article five of the social services law, 1 title eleven-D of article five of the social

- Percentage of denials overturned on first level of appeal
- Percentage of denials upheld on external appeal
- Percentage of denials overturned on external
- Member Appeals: Percentage of upheld medical necessity denials trend M/S, MH, and SUD
- Provider Appeals: Percentage of upheld medical necessity denials trend quarter by quarter current year M/S, MH, and SUD

- **Description of Additional Education and Training**:
  - Training on mental health parity compliance was provided to the MVP organization on November 18, 2024, and a recorded training is provided for new team members upon hire in addition to annual training each year.
- **Monitoring and Auditing**: The Mental Health Parity Compliance Officer will review the data for the above metrics for compliance on a quarterly and annual basis as stated above and will review the first quarter of metrics by April 30, 2025.
- **Responsible Person**: [redacted], Mental Health Parity Compliance Officer
- **Date of Completion**: MVP will revise and update the Concurrent Review NQTL analysis and have the steps completed above by April 30, 2025.

Medical Necessity Criteria:

- In-Operation Compliance for Medical Necessity Criteria (Inpatient & Outpatient): MVP will update the Medical Necessity Criteria NQTL for the inpatient and outpatient classifications with the following data to demonstrate and document in-operation compliance with MHPAEA. This data will be obtained

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Name of Managed Care Organization MVP Health Plan, Inc.	**Survey Dates:** July 24, 2023 – September 11, 2024 **Survey ID # 1689088062**
Deficiencies	**Plan of Correction with Timetable**

services law, 2 title one-A of article twenty-five of this chapter 3 or title eighteen of the federal Social Security Act, 4 and, further provided, that such health maintenance organization shall not discontinue a contract for an individual receiving comprehensive-type coverage in effect prior to January first, two thousand four who is ineligible to purchase policies offered after such date pursuant to this section or section four thousand three hundred twenty-eight of the insurance law due to the provision of 42 U.S.C. 1395ss in effect prior to January first, two thousand four.

4303(g) 4303(k) and 4303(l) State Insurance Law

Deficiency:
Based on review of the Phase I, Phase II, and Phase III nonquantitative treatment limitation (NQTL) workbooks, specific in-operation NQTL requests (Focus Survey Attachment A), and the Mental Health Prior Authorization Information Request (Attachment B) submitted in response to the Mental Health Parity and Addiction Equity Act (MHPAEA) Compliance Virtual Focus Survey, MVP Health Plan, Inc. (MVP) failed to provide sufficient, complete comparative analyses demonstrating compliance with MHPAEA, P.L. 110-343, for the following NQTLs:

- concurrent review,
- medical necessity criteria,
- coding edits,
- out-of-network coverage standards,
- retrospective review,
- experimental/investigational determinations,
- prior authorization, and
- reimbursement

Specifically, during the review of the NQTL workbooks, MVP failed to demonstrate in-operation compliance for inpatient and outpatient concurrent review, medical necessity criteria, coding edits, out-of-network coverage standards, retrospective review (inpatient only), prior authorization (outpatient only), and experimental and investigational determinations. The Managed Care Organization

- and reviewed by MVP's Mental Health Parity Compliance Officer.
  - Annual inter-rater reliability testing, with a minimum score of 85%
  - Annual scheduled medical necessity policy reviews, including but not limited to review of national guidelines
  - Quarterly Quality Control results with a minimum score of 95%
- **Description of Additional Education and Training**:
  - Training on mental health parity compliance was provided to the MVP organization on November 18, 2024, and a recorded training is provided for new team members upon hire in addition to annual training each year.
- **Monitoring and Auditing**:
  - The Mental Health Parity Compliance Officer will review the data for the above metrics for compliance on a quarterly and annual basis as stated above and will review the first quarter metrics by March 31, 2025.
- **Responsible Person**: [redacted] Mental Health Parity Compliance Officer
- **Date of Completion**: MVP will revise and update the Medical Necessity Criteria NQTL and have the steps completed above by April 30, 2025.

Coding Edits:
- In-Operation Compliance for Coding Edits (Inpatient & Outpatient): MVP will update the Coding Edits NQTL for the inpatient and outpatient classifications with the following data to demonstrate and document in-operation compliance with MHPAEA. This data will be obtained and reviewed by MVP's Mental Health Parity Compliance Officer.
  - Quarterly data analysis of coding edits as applied to M/S and MH/SUD services
- **Description of Additional Education and Training**:
  - Training on mental health parity compliance was provided to the MVP organization on November 18, 2024, and a recorded training is provided for new team members upon hire in addition to annual training each year.

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Name of Managed Care Organization MVP Health Plan, Inc.	**Survey Dates:** July 24, 2023 – September 11, 2024 **Survey ID # 1689088062**

Deficiencies	Plan of Correction with Timetable

provided descriptions of in-operation processes in Step 5, however, failed to include comparative analyses.
 	
Specifically, for inpatient and outpatient reimbursement, the workbook failed to demonstrate that the identified factors are applied no more stringently in Step 3. Additionally, Step 5 contained a description of the in-operation processes but did not include a comparative analysis demonstrating compliance with MHPAEA.
 	
The issues were discussed with MVP during an exit conference call on September 11, 2024.
	• **Monitoring and Auditing**: The Mental Health Parity Compliance Officer will review the data for the metric for compliance on a quarterly basis as stated above and will review the first quarter of metrics by April 30, 2025.
	• **Responsible Person**: [redacted], Mental Health Parity Compliance Officer
	• **Date of Completion**: MVP will revise and update the Coding Edits NQTL analysis and have the steps completed above by April 30, 2025.
	
	Out-of-Network Coverage Standards:
	• In-Operation Compliance for Out-Of-Network Coverage Standards (Inpatient & Outpatient): MVP will update the Out-Of-Network NQTL for the inpatient and outpatient classifications with the following data to demonstrate and document in-operation compliance with MHPAEA. This data will be obtained and reviewed by MVP's Mental Health Parity Compliance Officer.
	  ○ Quarter over quarter current year:
	  ▪ Percentage of denial rates for OON requests for M/S compared to MH and SUD
	  ▪ Percentage of services provided by OON providers for M/S compared to MH and SUD
	• **Description of Additional Education and Training**:
	  ○ Training on mental health parity compliance was provided on November 18, 2024.
	• **Monitoring and Auditing**:
	  ○ The Mental Health Parity Compliance Officer will review the data for the above metrics for compliance on a quarterly and annual basis as stated above and will review the first quarter metrics by July 15, 2025.
	• **Responsible Person**: [redacted], Mental Health Parity Compliance Officer
	• **Date of Completion**: MVP will revise and update the OON Coverage NQTL analysis and have the steps completed above by July 15, 2025.
	
	Retrospective Review:
	• In-Operation Compliance for Retrospective Review (Inpatient): MVP will update the Retrospective

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	Review NQTL for the inpatient classification with the following data to demonstrate and document in-operation compliance with MHPAEA. This data will be obtained and reviewed by MVP's Mental Health Parity Compliance Officer. o Annual inter-rater reliability testing, with a minimum score of 85% o Quarterly Quality Control results with a minimum score of 95% o Quarter over quarter current year: ▪ Percentage of post service denial rates for M/S compared to MH and SUD ▪ Member Appeals: Percentage of upheld medical necessity denials trend M/S, MH, and SUD ▪ Provider Appeals: Percentage of upheld medical necessity denials trend quarter by quarter current year M/S, MH, and SUD ▪ Annual review of additions and removals of retrospective review requirements (by code or code grouping) • **Description of Additional Education and Training**: o Training on mental health parity compliance was provided to the MVP organization on November 18, 2024, and a recorded training is provided for new team members upon hire in addition to annual training each year. • **Monitoring and Auditing**: o The Mental Health Parity Compliance Officer will review the data for the above metrics for compliance on a quarterly and annual basis as stated above and will review the first quarter metrics by March 31, 2025. • **Responsible Person**: [redacted], Mental Health Parity Compliance Officer • **Date of Completion**: MVP will revise and update the Retrospective Review NQTL analysis and have the steps completed above by April 30, 2025. **Experimental/Investigational Determinations:** • In-Operation Compliance for Experimental/Investigational Determinations (Inpatient & Outpatient): MVP will update the Experimental/Investigations Determinations NQTL for the inpatient and outpatient classifications with the following data to demonstrate and document in-operation compliance with MHPAEA. This data will be obtained and reviewed by MVP's Mental Health Parity Compliance Officer. o Quarter over quarter current year: ▪ Percentage of claim denials based on determination that service was

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	experimental/investigational for M/S compared to MH and SUD ▪ Appeals data and record claims denied based on determination that the service was experimental/investigational for M/S compared to MH and SUD • **Description of Additional Education and Training**: o Training on mental health parity compliance was provided to the MVP organization on November 18, 2024, and a recorded training is provided for new team members upon hire in addition to annual training each year. • **Monitoring and Auditing**: The Mental Health Parity Compliance Officer will review the data for the above metrics for compliance on a quarterly and annual basis as state above and will review the first quarter metrics by July 15, 2025. • **Responsible Person**: [redacted], Mental Health Parity Compliance Officer will review the data for the above metrics for compliance on a quarterly and annual basis as stated above and will review the first quarter metrics by July 15, 2025. • **Date of Completion**: MVP will revise and update the Experimental/Investigational Determinations NQTL analysis and have the steps completed above by April 30, 2025. **Prior Authorization:** • In-Operation Compliance for Prior Authorization (Outpatient): MVP will update the Prior Authorization NQTL for the outpatient classification with the following data to demonstrate and document in-operation compliance with MHPAEA. This data will be obtained and reviewed by MVP's Mental Health Parity Compliance Officer. o Annual inter-rater reliability testing, with a minimum score of 85% o Quarterly Quality Control results with a minimum score of 95% o Quarter over quarter current year: o Percentage of denied prior authorizations M/S compared to MH and SUD o Percentage of denials upheld on first level appeal o Percentage of denials overturned on first level appeal o Percentage of denials upheld on external appeal o Percentage of denials overturned on external appeal o Member Appeals: Percentage of upheld medical necessity denials trend M/S, MH, and SUD

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	○ Provider Appeals: Percentage of upheld medical necessity denials trend quarter by quarter current year M/S, MH, and SUD • **Description of Additional Education and Training**: ○ Training on mental health compliance was provided to the MVP organization on November 18, 2024, and a recorded training is provided for new team members upon hire in addition to annual training each year. • **Monitoring and Auditing**: The Mental Health Parity Compliance Officer will review the data for the above metrics for compliance on a quarterly and annual basis as stated above and will review the first quarter metrics by March 31, 2025. • **Responsible Person**: [redacted], Mental Health Parity Compliance Officer • **Date of Completion**: MVP will revise and update the Prior Authorization NQTL analysis and have the steps completed above by April 30, 2025. **Reimbursement:** • Demonstrate that the identified factors are applied no more stringently in Step 3 for Inpatient Reimbursement: • In-Operation Compliance for Inpatient Reimbursement (Inpatient): MVP will update the Reimbursement NQTL for the inpatient classification with the following data to demonstrate and document in-operation compliance with MHPAEA. This data will be obtained and reviewed by MVP's Mental Health Parity Compliance Officer. ○ Reimbursement for MH/SUD and M/S compared to a percentage of charge for each category of service. This data will be sortable by service type, region, and county. ○ The number of new patient visits for both M/S and SUD and PCP visits as a percentage of the total number of visits for each, sortable by County to ensure network adequacy for members seeking to establish with providers for the first time. ○ The number of PCP and MH/SUD contracted providers per enrollee, sortable by County and compare to industry standards for regional health plans when available. ○ Review of the average length of time to negotiate provider agreements for both M/S and MH/SUD • **Description of Additional Education and Training**: ○ Training on mental health parity compliance was provided to the MVP organization on November 18, 2024, and a recorded training

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	is provided for new team members upon hire in addition to annual training each year. • **Monitoring and Auditing**: ○ The factors and evidentiary standards for reimbursement will be revised as necessary to ensure factors are applied no more stringently for MH/SUD as compared to M/S by March 31, 2025. ○ The Mental Health Parity Compliance Officer will review the data for the above metrics for compliance on a quarterly and annual basis as stated above and will review the first quarter of metrics by April 30, 2025. • **Responsible Person**: [redacted], Mental Health Parity Compliance Officer • **Date of Completion**: MVP will revise and update the Reimbursement NQTL analysis and have the steps completed above by March 31, 2025.
MCO Representatives Si [redacted]	Date: December 13, 2024
Title: Sr. Regulatory Compliance Attorney & Mental Health Parity Compliance Officer	

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Statement of Findings
MVP Health Plan, Inc.,
Mental Health Parity and Addiction Equity Act (MHPAEA) Compliance
Virtual Focus Survey
Survey Dates: July 24, 2023 – September 11, 2024
Survey ID: 1689088062

10.2 Compliance with State Medicaid Plan, Applicable Laws and Regulations
h.) Mental Health and Substance Use Disorder Benefits Parity Requirements
i.) The Contractor shall comply with mental health and substance use disorder benefits parity requirements for financial requirements and treatment limitations specified in 42 CFR 438.910.

18.5 Reporting Requirements
a) The Contractor shall submit the following reports to SDOH (unless otherwise specified). The Contractor will certify the data submitted pursuant to this section as required by SDOH. The certification shall be in the manner and format established by SDOH and must attest, based on best knowledge, information, and belief to the accuracy, completeness and truthfulness of the data being submitted.
xxii) Mental Health and Substance Use Disorder Parity Reporting Requirements
Upon request by the SDOH, OMH or OASAS the Contractor shall prepare and submit documentation and reports, in a form and format specified by SDOH, OMH or OASAS, necessary for the SDOH, OMH or OASAS to establish and demonstrate compliance with 42 CFR 438 Subpart K, and applicable State statute, rules and guidance.

35.1 Contractor and SDOH Compliance With Applicable Laws
Notwithstanding any inconsistent provisions in this Agreement, the Contractor and SDOH shall comply with all applicable requirements of the State Public Health Law; the State Social Services Law; the State Finance Law; the State Mental Hygiene Law; the State Insurance Law; Title XIX of the Social Security Act; Title VI of the Civil Rights Act of 1964 and 45 CFR Part 80, as amended; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973 and 45 CFR Part 84, as amended; the Age Discrimination Act of 1975 and 45 CFR Part 91, as amended; the ADA; Title XIII of the Federal Public Health Services Act, 42 U.S.C § 300e et seq., regulations promulgated thereunder; the Health Insurance Portability and Accountability Act of 1996 (P.L. 104-191) and related regulations; the Federal False Claims Act, 31 U.S.C. § 3729 et seq.; Mental Health Parity and Addiction Equity Act of 2008, (P.L. 110-345); for Contractors operating in New York City, the New York City Health Code; and all other applicable legal and regulatory requirements in effect at the time that this Agreement is signed and as adopted or amended during the term of this Agreement. The parties agree that this Agreement shall be interpreted according to the laws of the State of New York.

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Statement of Findings
MVP Health Plan, Inc.,
Mental Health Parity and Addiction Equity Act (MHPAEA) Compliance
Virtual Focus Survey
Survey Dates: July 24, 2023 – September 11, 2024
Survey ID: 1689088062

Findings:

Based on review of the Phase I, Phase II, and Phase III nonquantitative treatment limitation (NQTL) workbooks, specific in-operation NQTL requests (Focus Survey Attachment A), and the Mental Health Prior Authorization Information Request (Attachment B) submitted in response to the Mental Health Parity and Addiction Equity Act (MHPAEA) Compliance Virtual Focus Survey, MVP Health Plan, Inc. (MVP) failed to provide sufficient, complete comparative analyses demonstrating compliance with MHPAEA, P.L. 110-343, for the following NQTLs:

- concurrent review,
- medical necessity criteria,
- coding edits,
- out-of-network coverage standards,
- retrospective review,
- experimental/investigational determinations,
- prior authorization, and
- reimbursement.

Specifically, during the review of the NQTL workbooks, MVP failed to demonstrate in-operation compliance for inpatient and outpatient concurrent review, medical necessity criteria, coding edits, out-of-network coverage standards, retrospective review (inpatient only), prior authorization (outpatient only), and experimental and investigational determinations. The Managed Care Organization provided descriptions of in-operation processes in Step 5, however, failed to include comparative analyses.

Specifically, for inpatient and outpatient reimbursement, the workbook failed to demonstrate that the identified factors are applied no more stringently in Step 3. Additionally, Step 5 contained a description of the in-operation processes but did not include a comparative analysis demonstrating compliance with MHPAEA.

The issues were discussed with MVP during an exit conference call on September 11, 2024.

MVP Plan of Correction with Timetable

MVP will take all of the following actions as part of the Plan of Correction to address the above findings.

Description of the Review, Revision and Correction Completed

MVP will review and revise the following NQTL comparative analyses below to ensure sufficient, complete comparative analyses to demonstrate compliance with MHPAEA. MVP has been monitoring operational metrics for the NQTLs identified below to ensure mental health parity compliance, however, as part of MVP's ongoing efforts to ensure meaningful comparative analyses, and as part of MVP's Plan of Correction, MVP is revising the following NQTLs identified and outlined below:

Concurrent Review:

- In-Operation Compliance for Concurrent Review (Inpatient & Outpatient): MVP will update the Concurrent Review NQTL for the inpatient and outpatient classifications with the following data to demonstrate and document in-operation compliance with MHPAEA. This data will be obtained and reviewed by MVP's Mental Health Parity Compliance Officer.
    - Annual inter-rater reliability testing, with a minimum score of 85%
    - Quarterly Quality Control results with a minimum score of 95%
    - Quarter over quarter current year:
        - Percentage of concurrent review requests denied for M/S compared to MH and SUD

  - Percentage of concurrent review requests denied for M/S compared to MH and SUD
  - Percentage of denials upheld on first appeal
  - Percentage of denials overturned on first level of appeal
  - Percentage of denials upheld on external appeal
  - Percentage of denials overturned on external
  - Member Appeals: Percentage of upheld medical necessity denials trend M/S, MH, and SUD
  - Provider Appeals: Percentage of upheld medical necessity denials trend quarter by quarter current year M/S, MH, and SUD
- **Description of Additional Education and Training**:
  - Training on mental health parity compliance was provided to the MVP organization on November 18, 2024, and a recorded training is provided for new team members upon hire in addition to annual training each year.
- **Monitoring and Auditing**: The Mental Health Parity Compliance Officer will review the data for the above metrics for compliance on a quarterly and annual basis as stated above and will review the first quarter of metrics by April 30, 2025.
- **Responsible Person**: [redacted] Mental Health Parity Compliance Officer
- **Date of Completion**: MVP will revise and update the Concurrent Review NQTL analysis and have the steps completed above by April 30, 2025.

Medical Necessity Criteria:

- In-Operation Compliance for Medical Necessity Criteria (Inpatient & Outpatient): MVP will update the Medical Necessity Criteria NQTL for the inpatient and outpatient classifications with the following data to demonstrate and document in-operation compliance with MHPAEA. This data will be obtained and reviewed by MVP's Mental Health Parity Compliance Officer.
  - Annual inter-rater reliability testing, with a minimum score of 85%
  - Annual scheduled medical necessity policy reviews, including but not limited to review of national guidelines
  - Quarterly Quality Control results with a minimum score of 95%
- **Description of Additional Education and Training**:
  - Training on mental health parity compliance was provided to the MVP organization on November 18, 2024, and a recorded training is provided for new team members upon hire in addition to annual training each year.
- **Monitoring and Auditing**:
  - The Mental Health Parity Compliance Officer will review the data for the above metrics for compliance on a quarterly and annual basis as stated above and will review the first quarter metrics by March 31, 2025.
- **Responsible Person**: [redacted], Mental Health Parity Compliance Officer
- **Date of Completion**: MVP will revise and update the Medical Necessity Criteria NQTL and have the steps completed above by April 30, 2025.

Coding Edits:

- In-Operation Compliance for Coding Edits (Inpatient & Outpatient): MVP will update the Coding Edits NQTL for the inpatient and outpatient classifications with the following data to demonstrate and document in-operation compliance with MHPAEA. This data will be obtained and reviewed by MVP's Mental Health Parity Compliance Officer.
  - Quarterly data analysis of coding edits as applied to M/S and MH/SUD services
- **Description of Additional Education and Training**:
  - Training on mental health parity compliance was provided to the MVP organization on November 18, 2024, and a recorded training is provided for new team members upon hire in addition to annual training each year.
- **Monitoring and Auditing**: The Mental Health Parity Compliance Officer will review the data for the metric for compliance on a quarterly basis as stated above and will review the first quarter of metrics by April 30, 2025.
- **Responsible Person**: [redacted], Mental Health Parity Compliance Officer

- **Date of Completion**: MVP will revise and update the Coding Edits NQTL analysis and have the steps completed above by April 30, 2025.

Out-of-Network Coverage Standards:

- In-Operation Compliance for Out-Of-Network Coverage Standards (Inpatient & Outpatient): MVP will update the Out-Of-Network NQTL for the inpatient and outpatient classifications with the following data to demonstrate and document in-operation compliance with MHPAEA. This data will be obtained and reviewed by MVP's Mental Health Parity Compliance Officer.
  - Quarter over quarter current year:
    - Percentage of denial rates for OON requests for M/S compared to MH and SUD
    - Percentage of services provided by OON providers for M/S compared to MH and SUD
- **Description of Additional Education and Training**:
  - Training on mental health parity compliance was provided on November 18, 2024.
- **Monitoring and Auditing**:
  - The Mental Health Parity Compliance Officer will review the data for the above metrics for compliance on a quarterly and annual basis as stated above and will review the first quarter metrics by July 15, 2025.
- **Responsible Person**: [redacted], Mental Health Parity Compliance Officer
- **Date of Completion**: MVP will revise and update the OON Coverage NQTL analysis and have the steps completed above by July 15, 2025.

Retrospective Review:

- In-Operation Compliance for Retrospective Review (Inpatient): MVP will update the Retrospective Review NQTL for the inpatient classification with the following data to demonstrate and document in-operation compliance with MHPAEA. This data will be obtained and reviewed by MVP's Mental Health Parity Compliance Officer.
  - Annual inter-rater reliability testing, with a minimum score of 85%
  - Quarterly Quality Control results with a minimum score of 95%
  - Quarter over quarter current year:
    - Percentage of post service denial rates for M/S compared to MH and SUD
    - Member Appeals: Percentage of upheld medical necessity denials trend M/S, MH, and SUD
    - Provider Appeals: Percentage of upheld medical necessity denials trend quarter by quarter current year M/S, MH, and SUD
    - Annual review of additions and removals of retrospective review requirements (by code or code grouping)
- **Description of Additional Education and Training**:
  - Training on mental health parity compliance was provided to the MVP organization on November 18, 2024, and a recorded training is provided for new team members upon hire in addition to annual training each year.
- **Monitoring and Auditing**:
  - The Mental Health Parity Compliance Officer will review the data for the above metrics for compliance on a quarterly and annual basis as stated above and will review the first quarter metrics by March 31, 2025.
- **Responsible Person**: [redacted], Mental Health Parity Compliance Officer
- **Date of Completion**: MVP will revise and update the Retrospective Review NQTL analysis and have the steps completed above by April 30, 2025.

Experimental/Investigational Determinations:

- In-Operation Compliance for Experimental/Investigational Determinations (Inpatient & Outpatient): MVP will update the Experimental/Investigations Determinations NQTL for the inpatient and outpatient classifications with the following data to demonstrate and document in-operation compliance with MHPAEA. This data will be obtained and reviewed by MVP's Mental Health Parity Compliance Officer.
  - Quarter over quarter current year:

  - Percentage of claim denials based on determination that service was experimental/investigational for M/S compared to MH and SUD
  - Appeals data and record claims denied based on determination that the service was experimental/investigational for M/S compared to MH and SUD
- **Description of Additional Education and Training**:
  - Training on mental health parity compliance was provided to the MVP organization on November 18, 2024, and a recorded training is provided for new team members upon hire in addition to annual training each year.
- **Monitoring and Auditing**: The Mental Health Parity Compliance Officer will review the data for the above metrics for compliance on a quarterly and annual basis as state above and will review the first quarter metrics by July 15, 2025.
- **Responsible Person**: [redacted], Mental Health Parity Compliance Officer will review the data for the above metrics for compliance on a quarterly and annual basis as stated above and will review the first quarter metrics by July 15, 2025.
- **Date of Completion**: MVP will revise and update the Experimental/Investigational Determinations NQTL analysis and have the steps completed above by April 30, 2025.

Prior Authorization:

- In-Operation Compliance for Prior Authorization (Outpatient): MVP will update the Prior Authorization NQTL for the outpatient classification with the following data to demonstrate and document in-operation compliance with MHPAEA. This data will be obtained and reviewed by MVP's Mental Health Parity Compliance Officer.
  - Annual inter-rater reliability testing, with a minimum score of 85%
  - Quarterly Quality Control results with a minimum score of 95%
  - Quarter over quarter current year:
  - Percentage of denied prior authorizations M/S compared to MH and SUD
  - Percentage of denials upheld on first level appeal
  - Percentage of denials overturned on first level appeal
  - Percentage of denials upheld on external appeal
  - Percentage of denials overturned on external appeal
  - Member Appeals: Percentage of upheld medical necessity denials trend M/S, MH, and SUD
  - Provider Appeals: Percentage of upheld medical necessity denials trend quarter by quarter current year M/S, MH, and SUD
- **Description of Additional Education and Training**:
  - Training on mental health compliance was provided to the MVP organization on November 18, 2024, and a recorded training is provided for new team members upon hire in addition to annual training each year.
- **Monitoring and Auditing**: The Mental Health Parity Compliance Officer will review the data for the above metrics for compliance on a quarterly and annual basis as stated above and will review the first quarter metrics by March 31, 2025.
- **Responsible Person**: [redacted], Mental Health Parity Compliance Officer
- **Date of Completion**: MVP will revise and update the Prior Authorization NQTL analysis and have the steps completed above by April 30, 2025.

Reimbursement:

- Demonstrate that the identified factors are applied no more stringently in Step 3 for Inpatient Reimbursement:
- In-Operation Compliance for Inpatient Reimbursement (Inpatient): MVP will update the Reimbursement NQTL for the inpatient classification with the following data to demonstrate and document in-operation compliance with MHPAEA. This data will be obtained and reviewed by MVP's Mental Health Parity Compliance Officer.
  - Reimbursement for MH/SUD and M/S compared to a percentage of charge for each category of service. This data will be sortable by service type, region, and county.
  - The number of new patient visits for both M/S and SUD and PCP visits as a percentage of the total number of visits for each, sortable by County to ensure network adequacy for members seeking to establish with providers for the first time.

  - The number of PCP and MH/SUD contracted providers per enrollee, sortable by County and compare to industry standards for regional health plans when available.
  - Review of the average length of time to negotiate provider agreements for both M/S and MH/SUD
- **Description of Additional Education and Training**:
  - Training on mental health parity compliance was provided to the MVP organization on November 18, 2024, and a recorded training is provided for new team members upon hire in addition to annual training each year.
- **Monitoring and Auditing**:
  - The factors and evidentiary standards for reimbursement will be revised as necessary to ensure factors are applied no more stringently for MH/SUD as compared to M/S by March 31, 2025.
  - The Mental Health Parity Compliance Officer will review the data for the above metrics for compliance on a quarterly and annual basis as stated above and will review the first quarter of metrics by April 30, 2025.
- **Responsible Person**: [redacted] Mental Health Parity Compliance Officer
- **Date of Completion**: MVP will revise and update the Reimbursement NQTL analysis and have the steps completed above by March 31, 2025.