

**Statement of Findings**  
**Anthem HP, LLC (fka HealthPlus, LLC)**  
**Survey ID# 190473104**  
**Survey Period: October 1, 2022 - April 12, 2023**

**Notification to the State of Adult Behavioral Health Key Staff Departure:**

**Medicaid Model Contract 16.13.a**  
**Behavioral Health Clinical and Medical Directors Requirements**

**a) The requirements for Contractor's employment of Clinical and Medical Directors are contained in this section and in the State-issued Behavioral Health Guidance.**

**Transition of Behavioral Health Benefit into Medicaid Managed Care and Health and Recovery Program Implementation released October 2015: Section VII.5**

**For all MCOs product lines: The MCO shall provide written notice to the State within seven calendar days after the effective date of termination or resignation of any of the key staff listed in Section 3. B above, including the name of the interim contact person performing the key staff person's duties, if a replacement is not found within that time. In addition to the notice of termination or resignation, the MCO shall submit a written proposal for replacing the key staff person, including expected timelines for recruitment activities. The MCO shall also notify the State at the earliest practicable time, but in no event later than seven days if a key staff member who is required to be full-time drops below full-time status. The State reserves the right to review the qualifications of key staff replacements at any time and require the MCO to identify a different key staff person if their replacement does not meet the requirements set forth in this guidance.**

**Finding:**

Based on the review of the required biannual Exhibit 1: Staffing Plan for Adult and Children submitted on September 29, 2022, and subsequent documentation, Empire Blue Cross Blue Shield HealthPlus, hereafter referred to as HealthPlus, failed to provide written notification to the State within seven calendar days after the date of termination or resignation of Behavioral Health (BH) key staff positions in accordance with the requirements. The Office of Mental Health, Department of Health, and Office of Addiction Services and Supports issued a memo on May 6, 2020, entitled *Notification of MCO Key Staff Vacancies*, to Medicaid Managed Care Plan (MMCPs) outlining the notification requirements in the event of a termination or resignation of a BH key staff personnel for adults and children. Specifically, the following two issues were identified during the review of the HealthPlus Exhibit 1 submission:

- The Health and Recovery Plan (HARP) Medical Director for General Medicine vacated the role on August 22, 2022. Written notification was first received on September 29, 2022, with the Exhibit 1: Staffing Plan for Adult and Children. HealthPlus failed to provide separate and distinct written notice within the required seven calendar days. The review of supplemental documentation and email correspondence submitted on January 5, 2023, confirmed the MMCP did not provide timely notification to the State of the resignation or termination of the HARP Medical Director for General Medicine.

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- The BH Clinical Director for Adults and HARP BH Clinical Director vacated the roles on December 16, 2022. Written notification was first received via email on January 5, 2023. HealthPlus reported that notification to the State was not provided within the required seven calendar days of the resignation or termination due to the holidays.

**Plan Response**

**Issue:** Anthem reviewed the findings and identified that our vendor, SOMOS, failed to notify the Health Plan of the departure of their Health and Recovery Plan (HARP) Medical Director of General Medicine and BH Clinical Director for Adults and HARP timely. Therefore, notification to the State of the changes to these key staff positions was not completed within the required 7 calendar days.

**Education:**

Anthem met with SOMOS and Evolent compliance and account management team to reeducate and reinforce regulatory requirements to provide timely notification to the State of key staff position changes as established by the Medicaid Model Contract 16.13.a Behavioral Health Clinical and Medical Directors Requirements.

- Anthem education and reinforcement of regulatory requirements to SOMOS and Evolent was completed on 3/26/2024.
- SOMOS established Policy Number: HR-7 Reporting of Changes to Key Clinical Staff Policy effective 3/26/2024 to ensure compliance with this notification requirement:
  - o SOMOS HR and Clinical services will monitor changes to any key staff and immediately inform SOMOS Director of Network Management for notification to the Health Plan.
  - o Notification from SOMOS to the Health Plans must occur within five calendar days from Key Staff change.
- Evolent established Desktop Procedure #: MO.001 Reporting of Changes to Key Clinical Staff-SOMOS/Anthem to ensure compliance with this notification requirement:
  - o Evolent HR, Market and Clinical staff will monitor changes to key clinical staff on a weekly basis.
  - o If any changes, Evolent Market, HR or Clinical Services will notify SOMOS. Notification to SOMOS cannot exceed five calendar days from the change key clinical staff.
- After SOMOS notification to the Health Plan, Anthem will have two days to notify the State to meet the seven calendar days requirement.

**Monitoring:**

Anthem will monitor compliance of this requirement during our joint bi-weekly Compliance Meeting with SOMOS:

- Effective March 26, 2024, the prompt notification of changes of Adult Behavioral Health key staff will be a standing item on the agenda for the Anthem/SOMOS bi-weekly compliance meeting and documented in the meeting minutes.

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**Survey Period: October 1, 2022 - April 12, 2023**

**Date of Implementation:** March 26, 2024

**Responsible Parties:**

Karla Velez, Medicaid Contract Implementation Director

Teana Nicol, Provider Relationship Account Director

Radhika Vars, Director of Behavioral Health Services

Michelle Taggart, Compliance Director

**Notification to the State of Children's Behavioral Health Key Staff Departure:**

**Children's Medicaid System Transformation Behavioral Health State Plan Services  
Transition to Medicaid Managed Care: Section VI. Staffing Requirements**

**The MMCP must provide written notice to the State within seven calendar days after the effective date of termination or resignation of any of the key staff listed in this section and must provide the name of the interim contact person performing the key staff person's duties, if a replacement is not found within that time. In addition, the MMCP must submit a written proposal describing plans for replacing key staff person, including expected timelines for recruitment activities.**

**Finding:**

Based on the review of the required biannual Exhibit 1: Staffing Plan for Adult and Children report due on October 1, 2022, and subsequent documentation, HealthPlus failed to provide written notification to the State within seven calendar days after the date of termination or resignation of Behavioral Health (BH) key staff positions in accordance with the requirements. The Office of Mental Health, Department of Health, and Office of Addiction Services and Supports issued a memo on May 6, 2020, entitled *Notification of MCO Key Staff Vacancies*, to Medicaid Managed Care Plans (MMCPs) outlining the notification requirements in the event of a termination or resignation of a BH key staff personnel for adults and children.

- Specifically, the BH Clinical Director for Children's Services vacated the position on December 16, 2022. Written notification was first received via email on January 5, 2023. HealthPlus reported that notification to the State was not provided within the required seven calendar days of the resignation or termination due to the holidays.

**Plan Response**

**Issue:** Anthem reviewed the findings and identified that our vendor, SOMOS, failed to notify the Health Plan of the departure of their BH Clinical Director for Children's Services timely. Therefore, notification to the State of the changes to this key staff position was not completed within the required 7 calendar days.

**Education:**

Anthem met with SOMOS compliance and account management team to reeducate and reinforce regulatory requirements to provide timely notification to the State of key staff position changes as established by the Children's Medicaid System Transformation Behavioral Health State Plan Services Transition to Medicaid Managed Care: Section VI. Staffing Requirements.

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- Anthem education and reinforcement of regulatory requirements to SOMOS completed on 3/26/2024.
- SOMOS established Policy Number: HR-7 Reporting of Changes to Key Clinical Staff Policy effective 3/26/2024 to ensure compliance with this notification requirement:
  - o SOMOS HR and Clinical services will monitor changes to any key staff and immediately inform SOMOS Director of Network Management for notification to the Health Plan.
  - o Notification from SOMOS to the Health Plans must occur within five calendar days from Key Staff change.
- Evolent established Desktop Procedure #: MO.001 Reporting of Changes to Key Clinical Staff- SOMOS/Anthem to ensure compliance with this notification requirement:
  - o Evolent HR, Market and Clinical staff will monitor changes to key clinical staff on a weekly basis.
  - o If any changes, Evolent Market, HR or Clinical Services will notify SOMOS. Notification to SOMOS cannot exceed five calendar days from the change key clinical staff.
- After SOMOS notification to the Health Plan, Anthem will have two days to notify the State to meet the seven calendar days requirement.

**Monitoring:**

Anthem will monitor compliance of this requirement during our joint bi-weekly Compliance Meeting with SOMOS:

Effective March 26, 2024, the prompt notification of changes of Children's Behavioral Health key staff will be a standing item on the agenda for the Anthem/SOMOS bi-weekly compliance meeting and documented in the meeting minutes.

**Date of Implementation:** March 26, 2024

**Responsible Parties:**

Karla Velez, Medicaid Contract Implementation Director  
Teana Nicol, Provider Relationship Account Director  
Radhika Vars, Director of Behavioral Health Services  
Michelle Taggart, Compliance Director