



OPERATIONAL MEMO

Title: Administration of Medical Assistance Desk Review	Topic: Eligibility Site Accountability and Oversight
Audience: County Departments of Human/Social Services (counties) & Eligibility sites; Medical Assistance (MA) Sites and Eligibility Application Partner (EAP) Sites.	Sub-Topic: Eligibility Site Oversight and Compliance
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Approved By: Rachel Reiter	

HCPF Memo Series can be accessed online: <https://www.colorado.gov/hcpf/memo-series>

Purpose and Audience:

The purpose of the Administration of Medical Assistance Desk Reviews Operational Memo is to inform county departments of human/social Services, Medical Assistance and Eligibility Application Partner sites (herein referenced as “Eligibility Sites”) of the process to initiate and complete Medical Assistance Desk Reviews. Desk Reviews of Eligibility Sites ensure compliance with federal and state statute, HCPF rules, and sub-regulatory guidance. The purpose of these reviews is to evaluate and assess actions, policies and/or procedures of Eligibility Sites and for any instances of noncompliance to be addressed. This allows for improvements to be found and addressed locally prior to future audit findings.

Information:

The County Administration Rules (10 CCR 2505-5 1.020.10) gives HCPF the authority to conduct oversight compliance of Eligibility Sites. Desk Reviews may review any aspect of an Eligibility Site's administration of the Medical Assistance program and are ad hoc reviews that are conducted outside of the HCPF Management Evaluation Review cycle.

Desk Review Process

Eligibility Sites are selected by the HCPF program area identifying a potential compliance issue. Examples of program areas that may identify an issue for a Desk Review include, but are not limited to, civil rights, customer service, member escalations, cybersecurity concerns, fraud investigations and overpayments, eligibility determination compliance, and compliance with performance and accuracy measures.

A Desk Review may be conducted on:

- One Eligibility Site with an identified potential compliance issue, or
- Multiple Eligibility Sites with an identified potential compliance issue.

Desk Reviews are split into seven (7) categories:

- Administrative
- Eligibility Determination
- Quality
- Performance
- Access to Care
- Fiscal (MA and EAP Sites are not subject to Fiscal Desk Reviews)
- Operations

Eligibility Sites selected for a Desk Review will receive formal notification from the County Relations team that details the necessary steps the Eligibility Site must take to comply with the Desk Review. **If necessary, HCPF can work with individual counties on the review timeframes to ensure counties can balance workload and staffing needs within timeframes for the reviews.**

Timelines

Standard Desk Reviews are typically for compliance issues that HCPF has determined do not require an expedited timeline.

1. Once an Eligibility Site is notified that they have been selected for a Standard Desk Review, the Eligibility Site will have 30 calendar days to provide requested information to HCPF.
2. When the Standard Desk Review is completed by HCPF, a **Preliminary Report** will be issued to the Eligibility Site. The Preliminary Report is used to notify the site of compliance findings and to provide resources and best practices recommended by HCPF. Once the Preliminary Report is issued, the Eligibility Site will have the opportunity to “cure” (fix) any identified finding(s). The cure period is meant to address findings that are less complex to implement.

HCPF's timeline for completing a Standard Desk Review will vary dependent on factors such as the complexity of the review and number of Eligibility Sites to be reviewed. Estimated timelines for reviews will be shared with the Eligibility Site(s) selected for review at the time of notification.

3. The cure period is 30 calendar days from the date the Preliminary Report is issued.
 - a. Within the cure period, Eligibility Site leadership can rebut any findings within five (5) business days of receiving the Preliminary Report.
 - b. HCPF will review and respond to rebuttals in five (5) business days.
 - c. Rejected rebuttals will have the remainder of the cure period to cure their identified finding(s).
4. A Final Report will be issued after the cure period ends. Any uncured findings will result in issuance of a Management Decision Letter (MDL) which will accompany the Final Report. Final Report with MDLs requiring Tier 2 Corrective Action Plans may be communicated with to the Board of County Commissioners.

Expedited Desk Reviews are for issues that have been identified by HCPF as requiring expedited review. An Expedited Desk Review is initiated in response to an issue, concern, escalation or non-compliance issue raised to HCPF such as Site procedures related to State Appeals. Expedited Desk Reviews typically have ten (10) business days for HCPF to collect and review documentation followed by ten (10) business days for the Eligibility Site to cure findings.

1. Once an Eligibility Site is notified that they have been selected for an Expedited Desk Review, the Eligibility Site will have ten (10) business days to provide requested information to HCPF.
2. When the Expedited Desk Review is completed, a Preliminary Report will be issued to the Eligibility Site to “cure” (fix) any identified finding(s).
3. The cure period is 10 business days from the date the Preliminary Report is issued.
 - a. Within the cure period, Eligibility Site leadership can rebut any findings within three (3) business days of receiving the Preliminary Report.

- b. HCPF will review and respond to rebuttals in three (3) business days.
 - c. Rejected rebuttals will have the remainder of the cure period to cure their identified finding(s).
4. A Final Report will be issued after the cure period ends. Any uncured findings will result in issuance of a Management Decision Letter (MDL) which will accompany the Final Report. Final Report with MDLs requiring Tier 2 Corrective Action Plans may be communicated with to the Board of County Commissioners.

Urgent Desk Review process is for compliance issues that directly affect member access to care, for example a complaint received regarding disability referral delays to ARG. All Urgent Deks Reviews will have:

- five (5) business day period for HCPF to collect and review documentation
- do not have a cure period or rebuttal period for any identified findings.
- MDLs issued requiring Tier 2 Corrective Action Plans may be communicated with to the Board of County Commissioners.

Federal audits, such as audits by the Centers for Medicare and Medicaid Services or, Office of Inspector General, or State audits including through the Colorado General Assembly's Legislative Audit Committee are not considered a review through the desk review process. An audit initiated by Federal or State audit teams do not have a standardized time to prepare/review documentation and do not offer the cure period for findings. Depending on the external auditing agency, the timeframes will vary.

Findings of noncompliance: Eligibility Sites that are determined to be out of compliance are subject to a Management Decision Letter (MDL) and Improvement and/or Corrective Action Plan processes.

- Tier 1 Improvement Action Plans (IAPs) are supported by training, process manuals, and/or other guidance issued by HCPF.
- Tier 2 Corrective Action Plans (CAPs) are supported by rule, statute, law, and/or sub-regulatory guidance.

Detail on MDLs and the action plan process can be found in HCPF OM 21-078, or whichever Operational Memo supersedes OM 21-078. Eligibility Sites that leave action plans unresolved and/or out of compliance are subject to sanctions as defined in 10 CCR 2505-5 1.020.11.

Action To Be Taken:

When an Eligibility Site is formally notified of a Desk Review, the Eligibility Site must immediately begin the steps outlined in the formal notification.

Definition(s):

Cure Period: When allowed, the Eligibility Site has time to “cure” (fix) compliance findings. The cure period starts when HCPF sends the Desk Review Preliminary Report to the Eligibility Site. When allowed, during the cure period the Eligibility Site may rebut findings.

Eligibility Site: is defined in 10 CCR 2505-10 8.100 as a location outside of HCPF that has been deemed by HCPF as eligible to accept applications and/or determine eligibility for applicants. This includes county departments of human/social services (counties), Medical Assistance (MA) Sites and Eligibility Application Partner (EAP) Sites.

Internal Controls: a documented process and/or procedure designed to provide reasonable assurance of compliance with applicable laws, rules, regulations, contracts, policies or procedures. Internal controls are required of all recipients and sub-recipients of federal funds. Internal controls ensure the integrity of financial, accounting and programmatic information, promote accountability, and prevent fraud.

Management Decision Letters (MDL): HCPF-issued letter providing details regarding findings of non-compliance that result in the need for a Tier 1 Improvement Action Plan or a Tier 2 Corrective Action Plan.

Management Evaluation (ME) Review: HCPF’s compliance review program used to evaluate Eligibility Sites’ compliance with rules and guidance governing the administration of medical assistance programs.

Rebuttal (Rebut): A rebuttal is an attempt to refute a finding by offering additional information and supporting documentation to clarify the evaluation. After HCPF completes a Desk Review, notification of the findings will be issued to the Eligibility Site. As allowed, Eligibility Sites can rebut the findings of the Desk Review only during the timeframe provided by HCPF. Rebuttals must include both the rationale and supporting documentation that demonstrates the review finding is inaccurate. HCPF reserves the right to deny any rebuttal; the determination is final and not subject to dispute or appeal.

Attachment(s):

None

HCPF Contact:

County Relations Team

Complete a County Relations Webform Request:

<https://hcpfdev.secure.force.com/HCPFCountyRelations>