

Great Rivers Behavioral Health Administrative Services Organization

Policy Title:	Credentialing Range of Actions, Notification to Authorities and Practitioner Appeal Rights	Policy No. 4103.03
Category:	Credentialing	Date Adopted: 10/09/2020 Date Revised: 09/27/2022 Date Reviewed: 06/24/2021 10/19/2023
Reference:	HCA Contract with Great Rivers Behavioral Health Administrative Services Organization WAC 246-341-0515 NCQA Accreditation guidelines Title IV of Public Law 99-660, Health Care Quality Improvement Act of 1986 State and Federal credentialing requirements	

Policy:

- 1.1. Great Rivers Behavioral Health Administrative Services Organization (Great Rivers BH-ASO) uses established criteria in the review of Behavioral Health Agencies (BHAs) and practitioners' performance. All adverse actions taken by the Great Rivers BH-ASO Credentialing Committee (Credentialing Committee) are conducted in compliance with the Credentialing Fair Hearing Policy and the Healthcare Quality Improvement Act of 1986.
- 1.2. The Credentialing Committee can take one of the following actions against BHAs and practitioners who fail to meet credentialing standards or who fail to meet performance expectations pertaining to quality of patient care:
 - 1.2.1. Monitor on a Watch Status
 - 1.2.2. Require formal corrective action
 - 1.2.3. Denial of network participation
 - 1.2.4. Termination from network participation
 - 1.2.5. In cases where Great Rivers BH-ASO's Medical Director determines the circumstances pose an immediate risk to patients, a BHA or practitioner may be summarily suspended from participation in the network, without prior notice, pending review and investigation of information relevant to the case.
- 1.3. This applies to all BHAs and practitioners who are contracted by Great Rivers BH-ASO. These actions do not apply to applicants who do not meet basic conditions of participation and are ineligible for participation.
- 1.4. If at any point a BHA or practitioner fails to meet the minimum standards and criteria for credentialing or fails to meet performance expectations with regard to quality of patient care the Credentialing Committee may act to implement one of these actions. Termination may be taken after reasonable effort has been made to obtain all the facts of the matter and the BHA or practitioner may be given the opportunity to respond to this decision.
- 1.5. Great Rivers BH-ASO maintains a mechanism for implementation of monitoring on watch status, requiring formal corrective action, suspension, or termination of Great Rivers BH-ASO's BHAs and practitioners.

Procedure

- 2.1. Criteria for Denial or Termination Decisions by the Credentialing Committee. The criteria used by the Credentialing Committee to make a decision to deny or terminate a BHA or practitioner from the Great Rivers BH-ASO network include, but are not limited to, the following:
- 2.1.1. The BHA or practitioner's professional license in any state has or has ever had any informal or formal disciplinary orders, decisions, agreements, disciplinary actions or other actions including but not limited to, restrictions, probations, limitations, conditions suspensions, and revocations.
 - 2.1.2. The BHA or practitioner has or has ever surrendered, voluntarily or involuntarily, his or her professional license in any state while under investigation by the state or due to findings by the state resulting from the BHA or practitioner's acts, omissions, or conduct.
 - 2.1.3. The BHA or practitioner has any pending statement of charges, notice of proposed disciplinary actions, notice of agency action, or the equivalent from any state or governmental professional disciplinary body, which based on the judgment of the Credentialing Committee establishes an immediate potential risk to the quality of care or service delivered by the BHA or practitioner to individuals receiving Great Rivers BH-ASO funded services.
 - 2.1.4. Practitioner has or has ever had any restrictions, probations, limitations, conditions, suspensions, or revocations on their federal Drug Enforcement Agency (DEA) certificate or Controlled Substance Certification or Registration.
 - 2.1.5. Practitioner has a condition, restriction or limitation on their license, certification, or registration related to an alcohol, chemical dependency, or health condition or if other evidence indicates that the practitioner has an alcohol, chemical dependency problem, or health condition and there is no clear evidence and documentation demonstrating that the practitioner has complied with all such conditions, limitations, or restrictions and is receiving treatment adequate to ensure that the alcohol, chemical dependency, or health condition will not affect the quality of the practitioner's practice.
 - 2.1.6. The BHA or practitioner has or has ever had sanctions of any nature taken by any governmental program or professional body including but not limited to, Medicare, Medicaid, Federal Employee Program, or any other State or Federal program or agency
 - 2.1.7. The BHA or practitioner has or has ever had any denials, limitations, suspensions, or terminations of participation of privileges by any health care institution, plan, facility, or clinic.
 - 2.1.8. The BHA or practitioner's history of medical malpractice claims or professional liability claims, or settlements reflect what constitutes a pattern of questionable or inadequate treatment or contain what constitutes any gross or flagrant incident or incidents of malpractice.
 - 2.1.9. Practitioner has a criminal history, including, but not limited to, any criminal charges, criminal investigations, convictions, no-contest pleas, and guilty pleas.
 - 2.1.10. Practitioner has or has ever had involvement in acts of dishonesty, fraud, deceit, or misrepresentation that relate to or impact or could relate to or impact the practitioner's professional conduct or the health, safety, or welfare of an individual receiving Great Rivers BH-ASO funded services.
 - 2.1.11. The BHA or practitioner has or has ever engaged in acts that Great Rivers BH-ASO, in its sole discretion, deems inappropriate.

- 2.1.12. The BHA or practitioner has or has ever had a pattern of member complaints or grievances in which there appears to be a concern regarding the quality of service provided to individuals receiving Great Rivers BH-ASO funded services.
- 2.1.13. The BHA or practitioner has not complied with Great Rivers BH-ASO's quality assurance program.
- 2.1.14. The BHA or practitioner is found to have rendered a pattern of substandard care or is responsible for any gross or flagrant incident of substandard care.
- 2.1.15. The BHA or practitioner has or has ever displayed inappropriate patterns of referral, which deviate substantially from reasonably expected patterns of referral.
- 2.1.16. The BHA or practitioner makes or has ever made any material misstatements in or omissions from their credentialing application and attachments.
- 2.1.17. The BHA or practitioner has ever rendered services outside the scope of their license.
- 2.1.18. Practitioner has or has ever had a physical or mental health condition that may impair their ability to practice with the full scope of licensure and qualifications or might pose a risk of harm on patients.
- 2.1.19. The BHA or practitioner has or has ever failed to comply with the Great Rivers BH-ASO's Medical Record Review, as applicable.
- 2.1.20. The BHA or practitioner has or has ever failed to comply with the Great Rivers BH-ASO's Site Review or Medical Record Keeping Practice Review, as applicable.

2.2. Monitoring on a Committee Watch Status

- 2.2.1. Great Rivers BH-ASO uses the credentialing category "watch status" for BHAs and practitioners whose initial or continued participation is approved by the Credentialing Committee with follow-up to occur. The Credentialing Committee may approve a BHA or practitioner to be monitored on watch status when there are unresolved issues or when the Credentialing Committee determines that the BHA or practitioner needs to be monitored for any reason
- 2.2.2. When a BHA or practitioner is approved on watch status, the Credentialing Lead conducts the follow-up according to the Credentialing Committee direction. Any unusual findings are reported immediately to the Great Rivers BH-ASO Medical Director to determine if immediate action is necessary. Every unusual finding is reviewed in detail at the next Credentialing Committee meeting for follow-up and recommendation.

2.3. Corrective Action

- 2.3.1. In cases where altering the conditions of participation is based on issues related to quality of care and/or service, Great Rivers BH-ASO may work with the BHA or practitioner to establish a formal corrective action plan to improve performance, prior to, or in lieu of suspending or terminating their participation status.
- 2.3.2. A corrective action plan is a written improvement plan, which may include, but is not limited to the following:
 - 2.3.2.1. Identifying the performance issues that do not meet expectations
 - 2.3.2.2. What actions/processes will be implemented for correction
 - 2.3.2.3. Who is responsible for the corrective action
 - 2.3.2.4. What improvement/resolution is expected
 - 2.3.2.5. How improvements will be assessed
 - 2.3.2.6. Scheduled follow-up, monitoring (compliance review, normally not to exceed six months)

- 2.3.3. Within ten (10) calendar days of the Credentialing Committee's decision to place a BHA or practitioner on a corrective action plan, the BHA or practitioner will be notified via a certified letter from the Medical Director. Such notification will outline:
 - 2.3.1.1. The reason for the corrective action
 - 2.3.2.2. The corrective action plan
- 2.3.4. If the corrective actions are resolved, the BHA or practitioner's performance may or may not be monitored, as deemed appropriate.
 - 2.3.4.1. If the corrective action(s) are not adequately resolved within the designated time, depending on the circumstances of the case, the Credentialing Committee may recommend that the BHA or practitioner continue on a corrective action plan, or recommend suspension or termination.
 - 2.3.4.2. All recommendations for termination that result from a lack of appropriate response to corrective action will be brought to the Credentialing Committee for review and decision.

2.4 Summary Suspension

- 2.4.1. In cases where the Credentialing Committee or the Medical Director becomes aware of circumstances that pose an immediate risk to individuals, the BHA or practitioner may be summarily suspended from participation in the network, without prior notice, pending review and investigation of information relevant to the case.
- 2.4.2. Such summary suspension shall become effective immediately upon imposition, and the Medical Director shall promptly notify the BHA or practitioner of the suspension, via a certified letter. Notification will include the following:
 - 2.4.2.1. A description of the action being taken
 - 2.4.2.2. Effective date of the action
 - 2.4.2.3. The reason(s) for the action and/or information being investigated
 - 2.4.2.4. Information (if any) required from the BHA or practitioner
 - 2.4.2.5. The length of the suspension
 - 2.4.2.6. The estimated timeline for determining whether or not to reinstate or terminate the BHA or practitioner
 - 2.4.2.7. Details regarding the BHA or practitioner's right to request a fair hearing within 30 calendar days of receipt of the notice and their right to be represented by an attorney or another person of their choice (see Credentialing Fair Hearing policy).
 - 2.4.2.8. If the BHA or practitioner does not request a fair hearing within the 30 calendar days, they have waived their rights to a hearing
 - 2.4.2.9. The action will be reported to the National Practitioner Data Bank (NPDB) if the suspension is in place longer than 30 calendar days
- 2.4.3. Upon initiation of the suspension, the Medical Director and credentialing staff will commence investigation of the issues.
 - 2.4.3.1. Findings of the investigation will be presented to the Credentialing Committee.
 - 2.4.3.2. The Credentialing Committee has the authority to implement corrective action, place conditions on the practitioner's continued participation, discontinue the suspension, or terminate the BHA or practitioner.

2.5. Denial

- 2.5.1. After review of appropriate information, the Credentialing Committee may determine that the BHA or practitioner should not be approved for participation in the Great Rivers BH-ASO network. The Credentialing Committee may then vote to deny the BHA or practitioner.
- 2.5.2. The BHA or practitioner will not be reported to the NPDB and will not be given the right to a fair hearing. Within ten (10) calendar days of the Credentialing Committee's decision, the BHA or practitioner is sent a written notice of denial via certified mail, from the Medical Director, which includes the reason for the denial.

2.6. Termination

- 2.6.1. After review of appropriate information, the Credentialing Committee may determine that the BHA or practitioner does not meet performance expectations pertaining to quality of care, services, or established performance/professional standards. The Credentialing Committee may then vote to terminate the BHA or practitioner.
- 2.6.2. Terminations for reasons other than unprofessional conduct or quality of care. If the termination is based on reasons other than unprofessional conduct or quality of care, the BHA or practitioner will not be reported to the NPDB and will not be given the right to a fair hearing. Within ten (10) calendar days of the Credentialing Committee's decision, the BHA or practitioner is sent a written notice of termination via certified mail, from the Medical Director, which includes the following:
 - 2.6.2.1. A Description of the action being taken
 - 2.6.2.2. Reason for action
 - 2.6.2.3. How to file an appeal
- 2.6.3. Terminations based on unprofessional conduct or quality of care. If the termination is based on unprofessional conduct or quality of care, the BHA or practitioner will be given the right to a fair hearing. Within ten (10) calendar days of the Credentialing Committee's decision, the BHA or practitioner is sent a written notice of Great Rivers BH-ASO's intent to terminate them from the network, via certified mail from the Medical Director, which includes the following:
 - 2.6.3.1. A Description of the action being taken
 - 2.6.3.2. Reason for termination
 - 2.6.3.3. Details regarding the BHA or practitioner's right to request a fair hearing within thirty (30) calendar days of receipt of notice (see Fair Hearing Plan policy). The Fair Hearing Policy explains that Great Rivers BH-ASO will appoint a hearing officer and a panel of individuals to review the appeal.
 - 2.6.3.4. The BHA or practitioner does not request a fair hearing within the thirty (30) calendar days, they have waived their rights to a hearing.
 - 2.6.3.5. The notice will include a copy of Great Rivers BH-ASO's Fair Hearing Policy describing the process in detail.
 - 2.6.3.6. The BHA or practitioner's right to be represented by an attorney or another person of their choice.
 - 2.6.3.7. Obligations of the BHA or practitioner regarding further care of individuals receiving services funded by Great Rivers BH-ASO.
 - 2.6.3.8. The action will be reported to the NPDB and the State Licensing Board.
- 2.6.4. Great Rivers BH-ASO will wait thirty (30) calendar days from the date the terminated BHA or practitioner received the notice of termination.

2.6.4.1. If the BHA or practitioner requests a fair hearing within that required timeframe, Great Rivers BH-ASO will follow the Credentialing Fair Hearing Policy. Once the hearing process is completed, the BHA or practitioner will receive written notification of the appeal decision which will contain specific reasons for the decision (see Credentialing Fair Hearing Policy).

2.6.4.1.1. If the hearing committee's decision is to uphold the termination, the action will be reported to the State Licensing Board and the NPDB as defined in reporting to appropriate authorities section below.

2.6.4.1.2. If the hearing committee overturns the termination decision and the BHA or practitioner remains in the Great Rivers BH-ASO network, the action will not be reportable to the State Licensing Board or to the NPDB.

2.6.4.2. If the BHA or practitioner does not request a hearing within the thirty (30) calendar days, they have waived their rights to a hearing and the termination will become the final decision. A written notification of the final termination will be sent to the BHA or practitioner and the termination will be reported to the State Licensing Board and the NPDB as defined in reporting to appropriate authorities section below.

2.7. Reporting/Notification to Authorities

2.7.1. Great Rivers BH-ASO will make reports to appropriate authorities as specified in the Credentialing Fair Hearing Policy when the Credentialing Committee takes or recommends certain Adverse Actions for a BHA or practitioner based upon Unprofessional Conduct including:

2.7.1.1. Revocation, termination of, or expulsion from Great Rivers BH-ASO Provider status.

2.7.1.2. Summary Suspension in effect or imposed for more than thirty (30) calendar days.

2.7.1.3. Any other final action by Great Rivers BH-ASO that by its nature is reportable to the State Licensing Board, the NPDB, and/or Healthcare Integrity and Protection Data Bank (HIPDB).

2.8. Fair Hearing

2.8.1. If a Fair Hearing is offered, a certified letter is sent to the BHA or practitioner describing the adverse action taken, the reason for the action, and notifying the BHA or practitioner of their right to a Fair Hearing. A copy of the Credentialing Fair Hearing Policy is included with the letter. The BHA or practitioner is given thirty (30) calendar days to request a Fair Hearing. The BHA or practitioner is notified of their right to be represented by an attorney or another person of their choice.

2.8.2. If the BHA or practitioner requests a Fair Hearing, the Great Rivers BH-ASO Credentialing Fair Hearing Policy is followed. A hearing officer and a panel of individuals will be appointed by Great Rivers BH-ASO to review the appeal. Once the hearing is completed, a written notification of the appeal decision will be sent to the BHA or practitioner that will contain the specific reason for the decision.

2.8.3. Within fifteen (15) calendar days of the effective date of the action, the Credentialing Lead responsible for credentialing reports the action to the following authorities:

2.8.3.1. All appropriate state licensing agencies

2.8.3.2. NPDB

POLICY SIGNATURE

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Trinidad I. Medina
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10/20/2023

Trinidad Medina,
Chief Executive Director

Date