# Applicable to

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Entity** | QHBPC[[1]](#endnote-1) | QHPC[[2]](#endnote-2) | QHPMC[[3]](#endnote-3) | QHIC[[4]](#endnote-4) | QTZ[[5]](#endnote-5) | If other, please specify. | |
| **State** | Iowa | Illinois | Minnesota | Wisconsin | | If other, please specify. | |
| **Product Line** | All Insured Product Lines (Does not include self-funded) | | | | | Self-Funded |  |
|  | Commercial HMO  Commercial PPO  Commercial POS | | Individual ACA Exchange  Individual ACA Non-Exchange  Individual Pre-2010  Medicaid-BadgerCare Plus  Medicaid-SSI | | | Medicare Advantage  Medicare Select  Medicare Supplement  State/Local  D-SNP | |

# Enforcement

Workforce members who violate this policy will be subject to disciplinary actions, up to and including termination of employment. Workforce members have a duty to report suspected or actual noncompliance. Failure to do so may result in disciplinary action leading up to and including termination.

# Review, Revision and Distribution

This policy and any material revisions to this policy require the approval of **Compliance Officers**.

External requests for access to this P&P (from network partners, sister companies, etc.) should be directed to **Compliance Officers**.

This document will be updated periodically to reflect changing business and technology requirements or at least annually, whichever is sooner. All change requests should be directed to the document owner.

# Document Logistics & Revision History

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| --- | --- |
| **Document Owner:** | AVP, Compliance & Government Regulatory Operations and Sr. Director, Deputy General Counsel, Compliance Services |
| **Next Review:** | June 2024 |

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| --- | --- | --- |
| **Description of Changes** | **Name, Title, or Committee** | **Date** |
| **Creation** | Tina Shuda, Sr. Compliance Analyst | 5/1/2017 |
| **Reviewed/Revised** | Kelly Skifton and Kristie Breunig | 4/25/2023 |
| **Approved** | Compliance Committee | 7/26/2023 |
| **Note:** Only keep the initial creation, last revision, and last approval dates. Previous versions must be archived for 10 years. | | |

# Purpose

The purpose of this policy is to ensure that general compliance training and fraud, waste, abuse (FWA) training is provided to Quartz workforce members, governing board members, as well as Quartz’s first tier, downstream and related entities (FDR) who provide an administrative or healthcare related services, or delivery of Part D benefits to ensure compliance with Federal Healthcare Program (Medicare, Federally Facilitated Marketplace and Medicaid) regulations.

# Policy

Quartz provides a Compliance Training curriculum that contains *Interactive Tutorials\** and *Document Acknowledgements\*\** within 90 days of hire, and annually thereafter to all new and existing Quartz workforce members, and will provide general compliance and fraud, waste, abuse (FWA) training to FDRs upon effective date of contract, and annually thereafter. Quartz Compliance Officer(s) oversees training and ensures content is tailored to Quartz product offerings. Compliance training and education furthers Quartz’s commitment to complying with all applicable state and federal requirements.

\* *Interactive Tutoria*ls include: Compliance Resources, HIPAA Training (Identifying PHI, Accessing Information, Sharing Information), Security Rule & Administrative Safeguards Training (Physical and Technical Safeguards), Internet Training (Phishing, Software, Browsing, Quartz Resources, Cybersecurity Incidents), Antitrust Law Training, Mental Health Parity Training, and Company Specific Reporting Noncompliance Training.

\*\* *Document Acknowledgements* include: distribution of the Quartz Code of Conduct, False Claims and Whistleblower Policy, Nonretaliation Policy, Quality Management & Public Health (QMPH) Advance Care and Advance Directives Policy, Electronic External Data Request Policy, Data Classification Procedure, Quartz Member Rights and Responsibilities, CMS -Medicare Parts C and D General Compliance Training, and CMS - Combating Medicare Parts C & D Fraud, Waste and Abuse Training.

# Definitions

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| --- | --- |
| **Abuse** | Includes actions that may, directly or indirectly, result in unnecessary costs to the Medicare Program, improper payment, payment for services that fail to meet professionally recognized standards of care, or services that are medically unnecessary. Abuse involves payment for items or services when there is no legal entitlement to that payment and the provider has not knowingly and/or intentionally misrepresented fact to obtain payment. Abuse cannot be differentiated categorically from fraud, because the distinction between “fraud” and “abuse” depends on specific facts and circumstances, intent and prior knowledge and available evidence, among other factors. |
| **Delegated Entities** | First Tier, Downstream or Related Entities (FDRs) who contract with Quartz to perform administrative or health care service functions related to Quartz Medicare product line. |
| **Downstream Entity** | Any party that enters into a written arrangement, acceptable to CMS, with persons or entities below the level of the arrangement between an MAO or applicant or a Part D plan sponsor or applicant and a first tier entity for provision of administrative services or healthcare services to a Federally Facilitated Marketplace (FFM) or Medicare eligible individual under the Medicare Advantage program, Part D program. (e.g., hospital within a health system that has entered into a system level agreement, or a credentialing verification organization) |
| **Fraud** | Knowingly and willfully executing, or attempting to execute, a scheme or artifice to defraud any health care benefit program or to obtain (by means of false or fraudulent pretenses, representations, or promises) any of the money or property owned by, or under the custody or control of, any health care benefit program. |
| **First Tier Entity** | Any party that enters into a written arrangement, acceptable to CMS, with a Medicare Advantage Organization (MAO) or Part D plan sponsor to provide or applicant to provide:   * Administrative services (e.g., marketing, utilization management, quality management, application processing, enrollment, or disenrollment functions, claims processing, adjudicating Medicare organization determinations, appeals and grievances, provider credentialing); or * Healthcare services to a Medicare eligible individual under the Medicare Advantage program or Part D program (e.g., independent practice association, pharmacy benefit manager, hospital) |
| **FWA** | Means fraud, waste, and abuse. |
| **Related Entity** | This refers to any entity that is related to the MAO or Part D Sponsor by common ownership or control and has the following characteristics:   1. Performs some of the MAO or Part D sponsor’s management functions under contract or delegation 2. Furnishes services to Medicare eligible individuals under an oral or written agreement 3. Leases real property or sells materials to the MAO or Part D plan sponsor at a cost of more than $2,500 during a contract period. |
| **Waste** | Is the overutilization of services, or other practices that, directly or indirectly, result in unnecessary costs to the Medicare program. Waste is generally not considered to be caused by criminally negligent actions but rather misuse of resources. |
| **Workforce** | Includes employees, temporary employees, volunteers, trainees, and other persons whose conduct, in the performance of work are under the direct control of Quartz. |

# Related Documents

None

# Requirements

45 CFR s. 156.340

45 CFR s. 156.715

Wis. Adm. Code Ins. 9.42

Paul Wellstone and Pete Domenici Parity and Addiction Equity Act of 2008 (MHPAEA)

42 CFR s. 438.608 Program Integrity BadgerCare Plus

42 C.F.R. §§ 422.503(b)(4)(vi) and 423.504(b)(4)(vi), Chapter 9 of the Prescription Drug Benefit Manual (PDBM), and Chapter 21 of the Medicare Managed Care Manual (MMCM)

# Procedure

All new workforce members will be required to complete mandatory compliance training provided via Great Employees & Meaningful Skills (GEMS), a talent development system that hosts computer-based training, within 90 days of hire. GEMS training includes the following interactive tutorials modules:

* Reporting Noncompliance Training
* HIPAA Training
* Identifying PHI
* Accessing Information
* Sharing Information
* Office Security
* Mental Health Parity Training
* Antitrust Training

New workforce members are also required to read and acknowledge receipt of the following documents:

* Quartz Code of Conduct
* False Claims and Whistleblower Policy
* Nonretaliation Policy
* QMPH Advance Care and Advance Directives Policy
* Electronic External Data Request Policy
* Data Classification Procedure
* Quartz Member Rights and Responsibilities
* [CMS Standardized – Medicare Parts C and D General Compliance Training Module](https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/MedCandDGenCompdownload.pdf)
* [CMS Standardized Combating Medicare Parts C and D Fraud, Waste, and Abuse Training Module](https://www.cms.gov/Outreach-and-Education/MLN/WBT/MLN3995723-MLNPartsCD/FWA/story.html)

**Existing Workforce Members**

All existing workforce members are required to complete annual mandatory general compliance training provided via GEMS. GEMS training will include the following interactive tutorials modules:

* Reporting Noncompliance Training
* HIPAA Training
* Identifying PHI
* Accessing Information
* Sharing Information
* Office Security
* Mental Health Parity Training
* Antitrust Training

Existing workforce members are also required to read and acknowledge receipt of the following documents:

* Quartz Code of Conduct
* False Claims and Whistleblower Policy
* Nonretaliation Policy
* QMPH Advance Care and Advance Directives Policy
* Electronic External Data Request Policy
* Data Classification Procedure
* Quartz Member Rights and Responsibilities
* [CMS Standardized – Medicare Parts C and D General Compliance Training Module](https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/MedCandDGenCompdownload.pdf)
* [CMS Standardized Combating Medicare Parts C and D Fraud, Waste, and Abuse Training Module](https://www.cms.gov/Outreach-and-Education/MLN/WBT/MLN3995723-MLNPartsCD/FWA/story.html)

**Board of Directors**

Upon election and annually thereafter, a board member receives training on the Quartz Code of Conduct, compliance policies and procedures, fraud, waste, and abuse, and a general overview of compliance responsibilities.

**Medicare Advantage FDRs:**

FDRs must provide general compliance and FWA training to their employees and downstream entities assigned to provide administrative and/or health care services to Quartz Medicare Advantage business. FDRs may comply with this requirement by:

1. Completing their own organizations developed general compliance and FWA training.
2. Completing CMS’s general compliance and FWA training on the Quartz Medicare Advantage FDRwebpage found [here](https://quartzbenefits.com/providers/providers-medicare-advantage-resources/medicare-advantage-fdr-compliance/).

FDRs must retain either a certificate and/or record of completion of the Medicare trainings for a minimum of ten (10) years, and these must be made available to Quartz and/or CMS upon request. FDRs are also required to provide a Medicare Advantage FDR attestation to the provision of general compliance and fraud, waste, and abuse training to their employees upon initial hire and annually thereafter.

**Other Compliance Training**

Compliance training and education is provided by the Compliance Officer(s) and/or his/her designee(s) as needed in response to ongoing monitoring of compliance plan effectiveness, change in corporate systems, changes in law, and/or changes to Quartz Compliance policies and procedures.

Workforce members whose job responsibilities involve specific risk areas (e.g., marketing, enrollment, or data collection and submission) will receive specialized training by their individual department manager, or their manager’s designee, in accordance with their department’s policies and procedures. Specialized compliance training will be provided to employees upon hire, when requirements change, and when an area has been found to be noncompliant.

**Managers/Directors Responsibilities**

Quartz Managers and Directors are responsible for ensuring their workforce members complete the compliance training as required by this policy.

1. [↑](#endnote-ref-1)
2. [↑](#endnote-ref-2)
3. [↑](#endnote-ref-3)
4. [↑](#endnote-ref-4)
5. [↑](#endnote-ref-5)