

Great Rivers Behavioral Health Organization

Policy Title:	Credentialing Range of Actions, Notification to Authorities and Practitioner Appeal Rights	Policy No. 6016
Category:	Credentialing	Date Adopted: 03/08/2019
Reference:	HCA Contract with Great Rivers Behavioral Health 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 Organization ("Great Rivers") uses established criteria in the review of practitioners' performance. All adverse actions taken by the Credentialing Committee are conducted in compliance with the Credentialing Fair Hearing Policy and the Healthcare Quality Improvement Act of 1986.
- 1.2. The Great Rivers Credentialing Committee can take one of the following actions against 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 the Medical Director determines the circumstances pose an immediate risk to patients, a 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 practitioners who are contracted by Great Rivers. 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 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 practitioner may be given the opportunity to respond to this decision.
- 1.5. Great Rivers maintains a mechanism for implementation of monitoring on watch status, requiring formal corrective action, suspension or termination of Great Rivers 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 practitioner from the Great Rivers network include, but are not limited to, the following:
 - 2.1.1. The 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. 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 practitioner's acts, omissions or conduct.
- 2.1.3. 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 practitioner to Great Rivers Members.
- 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 problem or health condition will not affect the quality of the practitioner's practice.
- 2.1.6. 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. 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. 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 Great Rivers members
- 2.1.11. Practitioner has or has ever engaged in acts which Great Rivers, in its sole discretion, deems inappropriate.
- 2.1.12. 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 Great Rivers Members.
- 2.1.13. Practitioner has not complied with Great Rivers' quality assurance program.
- 2.1.14. 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. Practitioner has or has ever displayed inappropriate patterns of referral, which deviate substantially from reasonably expected patterns of referral.
- 2.1.16. Practitioner makes or has ever made any material misstatements in or omissions from their credentialing application and attachments.
- 2.1.17. 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. Practitioner has or has ever failed to comply with the Great Rivers Medical Record Review, as applicable.
- 2.1.20. Practitioner has or has ever failed to comply with the Great Rivers Site Review or Medical Record Keeping Practice Review, as applicable.

2.2. Monitoring on a Committee Watch Status

- 2.2.1. Great Rivers uses the credentialing category “watch status” for practitioners whose initial or continued participation is approved by the Credentialing Committee with follow-up to occur. The Credentialing Committee may approve a practitioner to be monitored on watch status when there are unresolved issues or when the Credentialing Committee determines that the practitioner needs to be monitored for any reason.
- 2.2.2. When a practitioner is approved on watch status, the Credentialing Department conducts the follow-up according to the Credentialing Committee direction. Any unusual findings are reported immediately to the Great Rivers Medical Director to determine if immediate action is necessary. Every unusual finding is reviewed in detail at the next Credentialing Committee meeting for review 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 may work with the practitioner to establish a formal corrective action plan to improve performance, prior to, or in lieu of suspending or terminating his or her 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 practitioner on a corrective action plan, the practitioner will be notified via a certified letter from the Medical Director. Such notification will outline:
 - 2.3.3.1. The reason for the corrective action
 - 2.3.3.2. The corrective action plan
- 2.3.4. If the corrective actions are resolved, the 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 practitioner continue on an improvement plan, or recommend suspension or termination.
 - 2.3.4.2. All recommendations for termination that result from a lack of appropriate practitioner 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 patients, the 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 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 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 practitioner
 - 2.4.2.7. Details regarding the 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 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 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 practitioner.

2.5. Denial

- 2.5.1. After review of appropriate information, the Credentialing Committee may determine that the practitioner should not be approved for participation in the Great Rivers network. The Credentialing Committee may then vote to deny the practitioner.
- 2.5.2. The 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 Committee's decision, the 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 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 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 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 Committee's decision, the 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 practitioner will be given the right to a fair hearing. Within ten (10) calendar days of the Committee's decision, the practitioner is sent a written notice of Great Rivers' 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 practitioner's right to request a fair hearing within 30 calendar days of receipt of notice (see Fair Hearing Plan policy). The Fair Hearing Policy explains that Great Rivers will appoint a hearing officer and a panel of individuals to review the appeal.

2.6.3.4. The practitioner does not request a fair hearing within the 30 calendar days, they have waived their rights to a hearing.

2.6.3.5. The notice will include a copy of the Fair Hearing Plan Policy describing the process in detail.

2.6.3.6. Practitioner's right to be represented by an attorney or another person of their choice.

2.6.3.7. Obligations of the practitioner regarding further care of Great Rivers patients/Members

2.6.3.8. The action will be reported to the NPDB and the State Licensing Board.

2.6.4. Great Rivers will wait 30 calendar days from the date the terminated practitioner received the notice of termination.

2.6.4.1. If the practitioner requests a fair hearing within that required timeframe, Great Rivers will follow the Credentialing Fair Hearing Policy. Once the hearing process is completed, the 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 practitioner remains in the Great Rivers network, the action will not be reportable to the State Licensing Board or to the NPDB.

2.6.4.2. If the practitioner does not request a hearing within the 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 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 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 Practitioner based upon Unprofessional Conduct including:
 - 2.7.1.1. Revocation, termination of, or expulsion from Great Rivers 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 that by its nature is reportable to the State Licensing Board, the NPDB, and/or HIPDB.

2.8. Fair Hearing

- 2.8.1. If a Fair Hearing is offered, a certified letter is sent to the practitioner describing the adverse action taken, the reason for the action and notifying the practitioner of their right to a Fair Hearing. A copy of the Credentialing Fair Hearing Policy is included with the letter. The practitioner is given 30 calendar days to request a Fair Hearing. The practitioner is notified of their right to be represented by an attorney or another person of their choice.
- 2.8.2. If the practitioner requests a Fair Hearing, the Great Rivers Credentialing Fair Hearing Policy is followed. A hearing officer is appointed and a panel of individuals appointed by Great Rivers to review the appeal. Once the hearing is completed, a written notification of the appeal decision will be sent to the practitioner which will contain the specific reason for the decision.
- 2.8.3. Within 15 calendar days of the effective date of the action, the Credentialing Director responsible for credentialing reports the action to the following authorities:
 - 2.8.3.1. All appropriate state licensing agencies
 - 2.8.3.2. National Practitioner Data Bank (NPDB)

POLICY SIGNATURE

Edna J. Fund, Chair
Great Rivers Governing Board

03/08/2019

Date