

DDD SHOUT

VENDOR & PROVIDER NEWSLETTER

Volume XXXIV - July 2022

Provider Rate Increase Virtual Forums

Governor Doug Ducey and the Arizona State Legislature approved funding in the most recent Legislative session for the Arizona Department of Economic Security (DES) Division of Developmental Disabilities (DDD) to increase rates paid to Qualified Vendors for Home and Community Based (HCBS) services.

A series of virtual forums will be hosted by DDD in August 2022. We encourage members, families, vendors and providers to attend. DDD will talk about its proposed plan for provider rate increases. Attendees can provide input about the services they feel are in most need of rate increases. As DDD develops provider rate increases using funding provided in the FY2023 budget, DDD will take into account:

- Feedback from these forums.
- Submitted written comments.
- An analysis of data including, but not limited to network adequacy and changes in the minimum wage.

The forum schedule is listed below. Qualified Vendors and providers who cannot attend a forum can review the presentation on the DDD website and submit comments using this [online form](#).

Virtual Forum Schedule

Providers

Wednesday, August 10, 2022 from 10:00 a.m. to 12:00 p.m.

- Join by Internet - <https://azdes.zoomgov.com/j/1616982432>
- Join by Phone - 1-669-254-5252, Meeting ID 161 698 2432

Wednesday, August 24, 2022 from 10:00 a.m. to 12:00 p.m.

- Join by Internet - <https://azdes.zoomgov.com/j/1612668603>
- Join by Phone - 1-669-254-5252, Meeting ID 161 266 8603

Members, Families and Providers

Wednesday, August 24, 2022 from 6:00 p.m. to 8:00 p.m.

- Join by Internet - <https://azdes.zoomgov.com/j/1615317433>
- Join by Phone - 1-669-254-5252, Meeting ID 161 531 7433

Members and Families

Thursday, August 11, 2022 from 6:00 p.m. to 8:00 p.m.

- Join by Internet - <https://azdes.zoomgov.com/j/1600957741>
- Join by Phone - 1-669-254-5252, Meeting ID 160 095 7741

Tuesday, August 23, 2022 from 10:00 a.m. to 12:00 p.m.

- Join by Internet - <https://azdes.zoomgov.com/j/1611077218>
- Join by Phone - 1-669-254-5252, Meeting ID 161 107 7218

ARPA Quarterly Reporting

As communicated in vendor announcements in March and May 2022, AHCCCS received federal approval to allocate one-time funding to recruit and retain a knowledgeable and well-trained workforce as part of its American Rescue Plan Act (ARPA) spending plan. Maintaining and strengthening the direct care workforce through time-limited payments to providers is the most straightforward strategy to incentivize workers to enter or remain in the workforce. This funding is intended to assist Qualified Vendors retain and recruit direct care staff.

Qualified Vendors receiving this funding are required to Complete and submit quarterly ARPA Workforce Development Directed Payment reports as outlined on the [Division's ARPA webpage](#). Currently, there are three quarters that Qualified Vendors need to complete reporting for. Qualified Vendors should use the links below to complete the report for the designated quarter.

- [Quarter Ending December 31, 2021](#)
- [Quarter Ending March 31, 2022](#)
- [Quarter Ending June 30, 2022](#)

These three reports must be completed by September 30, 2022 in order to be accepted by the Division. Moving forward all quarterly reports will be due 45 days after the end of the reporting quarter. The information included in the reports will be used by DDD's auditing unit to ensure Qualified Vendor compliance with the requirements also outlined on the [Division's ARPA webpage](#).

Qualified Vendors are encouraged to make a copy of this Google Sheet and use it to track their submissions. The first tab includes instructions.

Qualified Vendor Agreement Amendment #9

On August 15, 2022, the Division will post RFQVA DDD-710000 Amendment #9 which will include a 12-month contract extension, changes to the Terms and Conditions section of the RFQVA and a new service specification for Habilitation, Enhanced Behavioral Group Home.

The Division has posted the revised Section 6 Terms and Conditions to the [Qualified Vendor System](#) page on its website in the Documents Available for Public Comment section. These revisions include changes to the processing of Central Registry checks and Audit of financial statements. Public comments can be submitted using the [Google Form link](#) found in the same section.

The Division has also posted the service specification for the new Habilitation, Enhanced Behavioral Group Home service that will take effect on August 15, 2022. It is located in Section 7 in the Current Request for Qualified Vendor Application (RFQVA) section. Habilitation, Community Protection and Treatment Group Home is no longer being solicited as of July 1, 2022. All vendors with current authorizations for Habilitation, Community Protection and Treatment Group Home will be required to adhere to the service specifications for Habilitation, Enhanced Behavioral Group Home, and bill using the code "HPD" at rates outlined in the Division's Rate Book. Vendors currently contracted to provide Habilitation, Community Protection and Treatment Group Home that have no authorizations assigned, shall complete a Readiness Review for the Enhanced Behavioral Group Home service prior to receiving service authorizations.

All Qualified Vendors will receive instructions with the new amendments in August 2022. A correctly completed and signed amendment must be received by the Division by September 30, 2022. Qualified Vendors are strongly encouraged to ensure their contact information is current and up to date in Focus, and their email

inboxes are monitored and maintained to ensure receipt of all Division correspondence.

WellSky Claims System Implementation

DDD is continuously assessing vendor readiness for the implementation of the WellSky claims system. To date, over 90% of vendors have been through WellSky Interface Training and Claims Technical Guidance Training. Vendors who will utilize the 837 electronic format are progressing through the next step to be certified. Several vendors are close to being certified. DDD is continually assessing vendor readiness as August 1st go-live date is approaching.

WellSky utilizes the Healthcare Common Procedure Coding System (HCPCS) and standard Centers for Medicare & Medicaid Services (CMS) claims forms when reimbursing Qualified Vendors for submitted claims. This will include the use of standardized Health Insurance Portability and Accountability Act (HIPAA) Transactions and Code Sets (TCS) in lieu of DDD proprietary codes currently being used by vendors when submitting claims. Qualified Vendors will be required to submit claims on official, nationally-recognized forms. The current DDD billing template will be replaced by these forms.

Vendors will have three options for submitting claims:

- Submit an electronic 837 form
- Manually enter claims directly in WellSky for each authorization
- Submit a CMS 1500 form in paper form

The [Division's website](#) has additional resource documents related to the project including Frequently Asked Questions, billing guides, reference sheets, technical guidance, and more. These resources are to inform and assist vendors in preparing for the new claims system.

Qualified Vendor Cultural Competency Survey

DDD values a competent, diverse vendor network and workforce capable of effectively addressing the cultural, ethnic, and language needs and preferences of its diverse membership. It is critical that Qualified Vendor operational and management staff as well as direct support professionals (DSP) acknowledge and understand the influences, cultures, life experiences, language differences, and values in order to support members with disability-specific person-centered care principles.

DDD is conducting a [Cultural Competency survey](#) in order to gather information about the current resources Qualified Vendor Agencies have in place to support both management and DSP staff as well as members and families to deliver Culturally Competent, person-centered care. This survey will assist the Division with identifying future resources and funding mechanisms to support this important component of service delivery.

The Division is requesting Qualified Vendors [complete the survey](#) by **August 30, 2022 by 5:00 p.m.** If you have any questions, please contact us at networkculturalcompetency@azdes.gov.

Abuse and Neglect Prevention Training Survey

Qualified Vendors began offering training to help prevent abuse, neglect, and exploitation of Division members in 2021. This was done in response to the State of Arizona Executive Order 2019-03 relating to Enhanced Protections for Individuals with Disabilities. The Division began providing reimbursement for the cost of training on [July 15, 2021](#) and has determined that these payments shall continue to be available at least through September 31, 2022. The Vendor requirements to use the [Awareness and Action](#) training are in [Chapter 64 of the Provider Manual](#). The Division also has an FAQ [here](#).

The Division is seeking Qualified Vendor and provider feedback about the Awareness and Action Training program. Please provide your feedback using this [Google Form](#).

DES/DDD and AHCCCS Hosting Q & A for Electronic Visit Verification

DES/DDD and AHCCCS will host a virtual forum for Qualified Vendors to hear Questions & Answers about the Electronic Visit Verification System and the hard edit date implementation November 1, 2022. Please submit your questions using this Google Form. There will also be the option to ask questions in the chat and verbally during the meeting, time permitting.

Thursday, August 25, 2022 from 11:00 a.m. to 12:30 p.m.

- Join by Internet - <https://azdes.zoomgov.com/j/16181633406>
- Join by Phone - 1-669-254-5252, Meeting ID: 161 8163 3406

Vendor Surveys for Specific Services

DDD is asking for continued assistance in providing feedback related to the impact of COVID-19 on specific DDD services via surveys. DDD requests Qualified Vendors who provide the following services complete the associated survey no later than end of day Sunday, July 31, 2022. We appreciate your continued participation in these requests.

Day Treatment, Employment and Transportation Services

- [Preview the survey questions](#)
- [Complete the survey](#)

Developmental Home Services

- [Preview the survey questions](#)
- [Complete the survey](#)

Group Home Services

- [Preview the survey questions](#)
- [Complete the survey](#)

In-Home Services (Attendant Care, Habilitation - Hourly, Homemaker, Respite, IDLA)

- [Preview the survey questions](#)
- [Complete the survey](#)

Nursing Services

- [Preview the survey questions](#)
- [Complete the survey](#)

Nursing Supported Group Home Services

- [Preview the survey questions](#)
- [Complete the survey](#)

Therapy Services

- [Preview the survey questions](#)
- [Complete the survey](#)

Federal Fraud, Waste and Abuse (FWA) Laws The Anti-Kickback Statute

There are three Federal anti-fraud and abuse provisions that apply to providers and prohibit certain types of business transactions or arrangements:

- The Anti-Kickback Statute (AKS)
- The False Claims Act (FCA)
- The Stark Law

In this edition of the Shout, the Division's Corporate Compliance Team focuses on the AKS.

- The AKS, found in Section 1128B(b) of the Social Security Act, prohibits the knowing and willful offer, payment, solicitation, or receipt of any remuneration, in cash or in kind, to induce or "in return for referring an individual for the furnishing or arranging for the furnishing of any item or service for which payment may be made under a Federal health care program." Remuneration means anything of value and can include gifts, or illicit payment/s to facilitate a transaction or appointment for personal gain.
- AKS violations usually constitute violations of the False Claims Act, meaning that AKS investigations can likewise result in fraud liability.
- A kickback is a crime that is similar to a bribe, but differs in that they typically involve a pre-negotiated trade of goods and/or services and a quid pro quo style of cooperation.
- The AKS is a criminal statute, but it provides both criminal and civil penalties for violations.
 - The criminal penalties include fines of up to \$25,000 and five-years imprisonment.
 - The Office of the Inspector General ("OIG") for the Department of Health and Human Services ("HHS") can pursue civil penalties of up to \$50,000 per violation plus three times the amount of any government overpayment.
- Under Section 1128 of the Social Security Act, HHS-OIG has authority to exclude individuals from participating in Federal healthcare programs, including Medicaid, for various reasons. Exclusions can be mandatory, meaning HHS-OIG has no choice about whether to exclude, or discretionary, which means the HHS-OIG can choose to exclude an individual.
 - Exclusion is mandatory for convictions of program-related crimes, convictions related to patient abuse, felony convictions related to health care fraud, and felony convictions related to controlled substances.
 - Exclusion is discretionary for loss of license due to professional incompetence or financial integrity, convictions related to fraud, convictions related to obstruction of an investigation or audit, misdemeanor convictions related to controlled substances, and participation in prohibited conduct such as kickbacks and false statements.

Here is an example of an AKS investigation and the outcome for violating AKS, [Arizona Case Violations to AKS and FCA](#).

It is important for vendors to have a clear understanding of the following to avoid violating the Anti-Kickback Statute:

- Billing Requirements
 - Established procedures by the Division
- Claims Submission Process
 - Use of correct Rate Code and Modifiers as applicable
- Program Integrity Requirements
 - Use of the [Network Sufficiency Checklist for Program Integrity Verification](#)
 - Use of the [Policy Development Tool](#)
 - Fraud, Waste and Abuse (FWA) training requirements to include how to report FWA.
- Gifts
 - Never solicit gifts or gratuities. Gifts can only be accepted if it is of minimal value.

Policy Public Comment

The Division is currently accepting public comments regarding Division policies. The policy revisions can be found on the [Policy page](#) of the Division's website. Qualified Vendors can use this form, <https://forms.azdes.gov/4MGCsdyKTRPJna3m9>, to submit public comments if they are interested in providing feedback.

Town Hall Meetings

The Office of Individual and Family Affairs (OIFA) continues to host town hall meetings for members, families and providers. **The next town hall meeting will be held on Thursday, August 4, 2022, from 6:00 p.m. to 8:00 p.m.** DDD will present updates and announcements. DDD Medical Director Dr. Vicki Copeland will also present information about the Early Periodic Screening, Treatment and Diagnostic (EPSDT) services available to ALTCS members.

Please share this information with the members and families you serve and encourage them to participate. The town hall schedule and instructions to join via the Internet or phone can be found at bit.ly/dddtownhall.

Get Caught Up

Did you know the Division posts vendor announcements and editions of the Shout on the web? Get caught up and stay informed on all of the recent vendor communications, <https://des.az.gov/services/disabilities/developmental-disabilities/vendors-providers/vendor-announcements>.

Report Fraud, Waste, Abuse and Misconduct

Report to DDD

- Call DDD at 1-877-822-5799
- Send an email to dddfwa@azdes.gov
- Send a letter to DES/DDD
Attn: Corporate Compliance Unit
1789 W Jefferson St.
Mail Drop 2HA1
Phoenix, AZ 85007
- Complete this [online form](#).

Report to AHCCCS

- Call the Office of the Inspector General at 602-417-4193
- Report Online at the [AHCCCS Website](#)
- Report Provider fraud by calling:
 - Maricopa County: 602-417-4045
 - Outside Maricopa County: 1-888-487-6686
- Report Member fraud by calling:
 - Maricopa County: 602-417-4193
 - Outside Maricopa County: 1-888-487-6686
- Submit general questions via email at AHCCCSFraud@azahcccs.gov