

Handout #1

Non-Compliance with the Discovery Review Process

According to 2009 Florida Statutes (409.907 and 409.913) and 1915j, the provider is required to participate in quality improvement activities conducted by the state of Florida. This includes the release of Medicaid patient information when requested. According to 1915j, "The State assures that there are necessary safeguards in place to protect the health and welfare of individuals provided services under this State Plan Option, and to assure financial accountability for funds expended for self-directed personal assistance services".

Non Compliant providers are those:

- who do not respond to at least two attempts to schedule reviews with them,
- who do not make individual records available for review purposes,
- who are a "no-show" after a review has been scheduled.

Procedure for Providers who do not respond to scheduling efforts:

Immediately after the second failed attempt to schedule the review, Delmarva reviewers will notify local APD area staff of the difficulty scheduling the review with the provider/representative. This will be in the form of a phone call followed up with an email. The provider/representative will be given three business days to respond to APD area staff. If local Area staff succeeds in getting the provider/representative to comply, the review will continue according to schedule. If there continues to be non compliance from the provider/representative despite efforts from APD staff, the provider/representative will be scored "Not Met" in all areas of the discovery tool. If the provider/representative is scored "Not Met" in all areas due to non-compliance, the Delmarva contract manager will notify the central APD office and AHCA by email.

Procedure for Providers who do not make individual records available for the review process:

During the scheduling phase of the Discovery Review Process providers/representatives will be made aware of time frames for making records available. The reviewer will inform each provider/representative involved in the Person Centered Review (PCR) and Provider Discovery Review (PDR) which records need to be available and when. If the provider/representative does not make all records available for review within the designated time frame, the provider/representative will be scored "Not Met" for all elements pertaining to the record review. The reviewer will notify Local APD staff by phone and the Delmarva contract manager will notify central APD office staff and AHCA.