

Provider Compliance Addendum

Your agency indicated in Section IV. you will apply and enforce provider compliance policies. Please complete the area(s) below.

If your agency created any written forms or documents to inform providers of your policies in this area:

- Indicate this in Section IX. B., and
- Attach copies of your agency forms and submit them to DHS with your plan. If these forms or notices aren't ready yet, you can submit them later. You can submit draft forms for review at any time.

Clause 1

Provider admits to intentionally providing false information on billing forms.

- Applies to: Legal Non-Licensed, Licensed, Licensed-Exempt, and Centers
- If the provider calls to inform the provider account tech of a mistake made on billing forms, the provider account tech will permit 2 daily errors per family per biweekly period to allow for provider oversight. The provider account tech will then correct said errors with no associated repercussions to the provider. Three or more daily errors made on a billing form per family per biweekly period is considered by the agency to be intentionally providing false information on billing forms.
- Three or more errors billed will result in the following consequences:
 - The provider account tech will close the provider’s registration. Provider account tech will contact the team to complete the Fraud Referral at this time.
 - Provider account tech will close the provider’s registration for 90 days, starting on the date that the agency discovered and/or was notified that the provider was intentionally providing false information on billing forms.
 - Provider account tech will create an alert to reactivate the provider after the 90 days consequence period.
 - A two week notice will be sent to the provider and paid by CCAP. However, an overpayment will be established from the date the provider admitted providing false information on billing forms through the two week notice. This includes any overpayments that might exist from the provider giving false information on billing forms.

Clause 2

The agency finds by a preponderance of evidence that a provider intentionally gave the agency false information on billing forms or attendance records.

- Applies to: Legal Non-Licensed, Licensed, Licensed-Exempt, Centers
- Preponderance of evidence is determined and defined by the agency and is dictated on a case by case basis.
 - Examples of a preponderance of evidence: Billing forms, attendance records, and the scheduled times a parent is in an eligible activity.
- Provider account tech discovers discrepancies in billing forms or attendance records. Provider account tech will request additional billing forms or attendance records from the provider as needed.
- The team will complete a Fraud Referral.
- Once the agency has determined that there is a preponderance of evidence that a provider intentionally gave the agency false information on the billing forms or attendance records the following applies:
- Consequences:
 - 90 day consequence period where the provider’s registration is closed starting on the day that this false information was discovered.
 - Provider account tech will create an alert to reactivate the provider after the 90 days consequence period.

- A two week notice will be sent to the provider and paid by CCAP. However, an overpayment will be established from the date that this false information was discovered through the two week notice, including any overpayments that might exist from the provider giving false information on billing forms.
- The agency will not be paying provider during the consequence period, unless agency error was made - as determined by agency.

Clause 4 – A provider is operating after receipt of a licensing order of suspension or revocation (this occurs when providers are appealing the revocation or suspension) or a final order of conditional license, for as long as the conditional license is in effect. **Note: If you choose this option, DHS will send you a list once a month to inform you of providers in this category. You may act sooner if you learn of this licensing status through your licensors, etc.**

The law allows agencies to take action when any of the following applies to a provider’s license:

- An order of suspension;
- An order of revocation; or
- A final order of conditional license, for as long as the conditional license is in effect.

Agencies do NOT need to implement for all three license statuses listed under this clause. Though you need to apply it consistently, you can apply this policy to centers and not family child care or vice versa.

If your agency indicates that you will enforce policies under clause (4), DHS will assume you plan to implement for all three of the listed licenses statuses unless you specify otherwise. If your agency only plans to implement this clause for certain licensing statuses, indicate which license statuses (suspended, revoked, and/or conditional) your agency chooses to implement below.

Describe which licensing violations are subject to this clause and your agency’s procedures for enforcing these policies, including how you will determine they are corrected. Indicate if you will apply this to licensed family child care, licensed centers or both.

Clause 4

The provider continues to operate after receipt of the following licensing notices:

-An order of suspension.

-An order of revocation

-A final order of conditional license, for as long as the conditional license is in effect.

- Suspension or Revocation: no back pay regardless of appeal decision.
- Conditional: check with licensing
- No payment during appeal
- Applies to: centers, licensed, licensed-exempt.

For agencies that choose to implement clauses (5), describe how your agency will determine whether violations are corrected for each clause.

Clause 5: A provider submits false attendance reports or refuses to provide documentation of the child's attendance upon request.

- Attendance records must include all required information. This includes:
 - Date
 - First and last name of the child
 - Name or initials of the person dropping off or picking up the child
 - Time in and out

1) Not submitting attendance records when requested/refuses to submit:

- Registration is ended immediately if attendance records are not received by the requested date (as set by the agency). A two week notice will be sent to the provider and paid by CCAP. However, an overpayment will be established from the beginning of the biweekly that the attendance records were requested, through the two week notice.
- Once these are submitted, and deemed completed (as determined by provider account tech):
 - i. CCAP will back pay to the day the attendance records were submitted and will reopen provider's registration to the day attendance records were submitted. CCAP will not pay from the date registration closed through the date attendance records were submitted.

*Also, if an agency worker requests attendance records immediately and they are not provided or not available, the same consequences apply.

2) False Attendance Records:

- Fraud referral needs to be completed.
- False attendance records include but are not limited to: not complete or are inaccurate as to what was billed in our system.
- Consequences:
 - i. First offense: Provider's registration is closed for 30 days. Two week notice will be sent to provider and paid by CCAP, however an overpayment may exist if provider fails to submit attendance records for those 2 weeks, or if attendance records are false.
 - ii. Second offense: Provider's registration is closed for 60 days. . Two week notice will be sent to provider and paid by CCAP, however an overpayment may exist if provider fails to submit attendance records for those 2 weeks, or if attendance records are false.
 - iii. Third and subsequent offenses: Provider's registration is closed for 90 days. Two week notice will be sent to provider and paid by CCAP, however an overpayment may exist if provider fails to submit attendance records for those 2 weeks, or if attendance records are false.

- Provider Account Tech Process:
 1. Provider account tech finds or is notified of discrepancies in billing.
 2. Provider account tech requests attendance records from the provider for the biweekly period(s) in question. Once attendance records are received, caseworker will compare to what was billed in MEC2.
 3. Provider account tech finds that attendance records are false or inaccurate.
 4. Provider account tech will end provider's registration.
 - 5) Two week notice will be sent to provider and paid by CCAP, however an overpayment may exist if provider fails to submit attendance records for those 2 weeks, or if attendance records are false.
 - a. Overpayment may also exist for the biweekly period(s) in question.
 - 6) The day after the two week notice, the 30 day (for first offense) suspension begins. Provider will not be paid during these 30 days, and there will be no backdated pay.
 - 7) After the 30 day suspension, the provider will be reactivated by the provider account tech. The team will receive an alert regarding the provider's registration status and will approve any outstanding Service Authorizations.
 - 8) Provider account tech will request 30 days of attendance records from the provider for the family that they were initially suspended for. The 30 days of attendance record keeping will start on the day the provider is reactivated, and are due no more than 5 days after the 30 day period.
 - 9) Once attendance records are received for the 30 day period, provider account tech will make sure they are complete and compare accuracy to what was billed and determine if further action is needed.

Notifying Providers

You must include how you will notify providers of these policies.

Notification options include:

- Sending a mailing to all providers registered with your agency.
- Adding information to your agency's provider registration packets.

Indicate how you plan to notify providers about these policies.

MNPrarie will notify providers of these policies by:

- Sending a mailing to all providers registered with your agency.
- Adding information to your agency's provider registration packets.