

Deficiencies in the Community Care Network Credentialing Process of a Former VA Surgeon and Veterans Health Administration Oversight Failures (U.S. Department of Veterans Affairs (VA) Office of Inspector General (OIG) Audit 22-02294-42, published on January 4, 2024.)

Optum's inputs regarding VA OIG's recommendations 1-8, within Audit 22-02294-42, as of February 21, 2024, are outlined below in **orange**.

Recommendation 1. The Under Secretary for Health initiates a review of the surgeon's eligibility to participate in VA's Community Care Network given Optum's lack of documentation of their review of the surgeon's credentialing file and takes action, as indicated.

VHA Comments: Concur.

The Office of Integrated Veterans Care (IVC) reviewed the surgeon's eligibility to participate in VA's Community Care Network (CCN) and took appropriate action. IVC's removal of the provider from the CCN prevents VA from referring Veterans to this community provider. IVC will confirm that Optum has taken all steps to eliminate this provider from its system.

Status: In progress

Target Completion Date: November 2023

Optum Inputs:

Concur, Optum has removed the provider in question from CCN effective December 1, 2023.

Recommendation 2. The Under Secretary for Health reviews community care network contracts and considers modifying contracts to ensure that voluntary relinquishments and surrenders of licenses for disciplinary reasons are disqualifying for participation in VA's Community Care Network consistent with the VA Maintaining Internal Systems and Strengthening Integrated Outside Networks Act.

VHA Comments: Concur.

There is existing language in the contract related to provider license terminations. In Section 3.71 the contract states, "If a provider is or has been licensed in more than one state, the Contractor must always confirm that the provider certifies that none of those states has terminated such license for cause and that the provider has not involuntarily relinquished such license in any of those states after being notified in writing by that state of potential termination for cause." OIG stated Optum had differing interpretations of the term "voluntary relinquishment" being a surrender. IVC will review current contracts to ensure the language is suitable and that there are consistent interpretations between all parties. In addition, future implementation of the Cleland Dole Act will require provider enrollment into National Practitioner Data Bank Continuous Query (NPDBCQ), where all actions taken on a provider's license will be reported to the contractor upon entry into the databank. This requirement will strengthen the monitoring of provider license issues.

Status: In progress

Target Completion Date: March 2024

Optum Inputs:

Concur, Optum agrees with VA that the additional ongoing monitoring efforts through NPDBCQ as part of the Cleland Dole Act modification into the CCN contracts, will help to strengthen timely remediation and/or removal of a provider from the network, in the event of a negative report(s) against a provider. Once this modification has been executed and implemented, any provider who has involuntarily relinquished their license, in any state, will be prohibited from onboarding into CCN and any participating provider(s) will be immediately removed from CCN.

Recommendation 3. The Office of Integrated Veteran Care Executive Director, Integrated External Networks ensures Optum’s sufficient review and discussion of community care network providers’ adverse credentialing files and monitors for compliance.

VHA Comments: Concur.

IVC agrees that ensuring the Third-Party Administrators (TPA) are maintaining sufficient reviews and credentialing of providers is an important function of providing reputable Veteran care. Currently, Optum updates IVC regarding the status of their providers, and, in turn, IVC ensures updates are made to the Provider Payment Management System (PPMS). IVC credentialing completes monthly audits of providers to confirm active licenses, non-inclusion of the List of Excluded Individuals and Entities list and Drug Enforcement Agency confirmation as applicable. Optum continues to update the IVC team regarding provider status, and to ensure compliance, IVC will continue to perform the monthly reviews. In addition, the Cleland Dole Act requires provider enrollment into the NPDBCQ where all actions taken on a provider’s license will be reported to the contractor upon entry into the databank. This requirement will strengthen the monitoring of provider license issues. IVC will request and review Optum’s credentialing committee meeting agendas and minutes to ensure decisions on providers with adverse findings are within compliance.

Status: In progress

Target Completion Date: March 2024

Optum Inputs:

Concur, Optum is committed to maintaining its continuous collaboration with IVC. Currently, Optum provides IVC with all necessary documentation to complete their required monthly credentialing audits. Optum agrees that the implementation and execution of the Cleland Dole Act contract modification leveraging the NPDBCQ reporting will expedite adverse action notifications permitting for the immediate removal of providers from the CCN as appropriate.

Recommendation 4. The Office of Integrated Veteran Care Executive Director, Integrated External Networks ensures that Optum documents community care network provider credentialing decisions as required and monitors for compliance.

VHA Comments: Concur.

To ensure that Optum documents community care network provider credentialing decisions as required, all Optum network provider credentialing decisions are documented in VA’s PPMS. A provider’s status of active or inactive is reported in PPMS. IVC maintains a review of active providers listed in PPMS. These ongoing reviews allow

IVC to monitor the TPAs credentialing decisions. IVC will request and review Optum’s credentialing committee meeting agendas and minutes to monitor credentialing decisions on providers and ensure compliance.

Status: In progress

Target Completion Date: March 2024

Optum Inputs:

Concur, Optum will continue to hold quarterly Credentialing Oversight Committee meetings with VA. During these meetings, Optum and VA discuss a variety of topics which include, but is not limited to previous meeting minutes, the credentialing scorecard comprised of any provider approved or denied through the credentialing process, monthly credentialing audits, and sanctioned reporting (any provider removed from the network due to an adverse actions).

Recommendation 5. The Office of Integrated Veteran Care Executive Director, Integrated External Networks ensures that Optum complies with community care contract provisions to provide Integrated Veteran Care with accreditation and credentialing documentation in accordance with federal privacy laws and VA’s community care network contract.

VHA Comments: Concur.

IVC will ensure the contractor is held to the standards set forth in the contract when requesting credentialing documentation. The contract language states, “VA reserves the right to perform random reviews of the accreditation, certification, credentialing, privileging/competency measures, and licensing files for the accredited programs and providers within the CCN. The contractor must always provide access to these files within five (5) business days of notification of such review.” IVC will consult with contracting to provide contract clarification regarding the statement by the OIG referencing the Privacy Act. Upon completion and outcome, IVC will provide direction to Optum.

Status: In progress

Target Completion Date: March 2024

Optum Inputs:

Concur, Optum acknowledges our initial interpretation regarding the Privacy Act related to NPDB resulted in the omission of a copy of the providers NPDB report with the initial and recredentialing files. Optum will provide any requested credentialing documents to IVC. Please know Optum is committed to maintaining its continuous collaboration with IVC to ensure all monitoring activities take place regarding a provider’s status/participation in CCN.

Recommendation 6. The Office of Integrated Veteran Care Executive Director, Integrated External Networks verifies that providers identified on the 2021 Government Accountability Office list are eligible to provide care in the VA Community Care Network.

VHA Comments: Concur.

IVC will re-evaluate the Government Accountability Office list from 2021. There are 457 active providers identified on the listing and IVC will verify the providers are eligible to provide care in VA CCN. Any ineligible providers will be removed from the PPMS and the contractor’s network.

Status: In progress

Target Completion Date: March 2024

Optum Inputs:

Optum is committed to partnering with IVC to ensure any ineligible providers identified on the Government Accountability Office 2021 list are removed from the CCN as appropriate.

Recommendation 7. The VA Heartland Network Director initiates a review of all community care provided by the surgeon.

VISN 15 Director Response: Concur.

The reasons for noncompliance were considered when developing the action plan. The Network Director will initiate a review of all community care provided by the surgeon. Actions will include determining all Veterans who were provided care by the surgeon through community care. An audit tool will be developed and completed by a surgeon of similar practice to determine if the standard of care was met. Follow up will be provided for any quality-of-care concerns identified. Progress to completion of the audit will be conveyed to the Quality Council that reports to the Network Director on a quarterly basis. Compliance will be monitored until the audit is complete and all quality-of-care concerns are addressed.

Status: In progress

Target Completion Date: June 1, 2024

Optum Inputs:

To support the VA Heartland Network Director, Optum is prepared to provide a referral and claim quantification report for any health care services rendered by the provider in question to support any necessary remediation actions. Furthermore, Optum's Veteran Experience Officer will assist VA with any identified coordination efforts for Veteran(s) who may need related continued care in the community. Additionally, Optum's Clinical Quality Department stands ready to support with any identified quality-of-care concerns requiring investigation of service(s) provided in the community.

Recommendation 8. The VA Marion Health Care System Director ensures primary care and patient safety staff receive education on their responsibility for Joint Patient Safety Reporting and follow-up of patient safety events related to community care and monitors compliance with patient safety event reporting and follow-up.

Facility Director Response: Concur.

The reasons for noncompliance were considered when developing the action plan. The Marion VA Health Care System's Local Office of Community Care staff will provide training regarding responsibilities for reporting patient safety concerns related to community care to all current Primary Care Aligned Team (PACT) and patient safety staff. An audit of training documentation will be monitored.

The education will address the VHA's Joint Patient Safety Reporting Guidebook and other applicable guidance regarding responsibilities for reporting patient safety concerns related to community care, monitoring compliance and follow-up action expectations. The goal is to maintain 90% training compliance of all current or newly hired PACT staff. New staff will receive education during new employee orientation. Compliance will be monitored for a minimum of six consecutive months and reported to the Executive Leadership Team through the Quality, Safety, Value, and High Reliability Executive Board

Status: In progress

Target Completion Date: April 2024

Optum Inputs:

To support VA, Optum's Community Care Experience Team (CCET) will be providing refresher training to all VA facilities within CCN Regions 1, 2, and 3, on how to submit a PQI and Optum's overall Clinical Quality program. These education sessions will take place during Optum's monthly Network Adequacy Meetings (NAM) and Veteran Integrated Service Network (VISN) Information Meetings (VIM) throughout Option Year 5 (between October 1, 2023, through September 30, 2024). A focused education session for the Marion Health Care System is scheduled for the March 2024, NAM meeting.
