

Statement of Findings
Metroplus Health Plan
Behavioral Health Key Staff Review Survey ID# (-556760519)
October 1, 2020-February 18, 2021

Medicaid Model Contract 16.13.a
Behavioral Health Clinical and Medical Directors Requirements

a) The requirements for Contractor's employment of Clinical and Medical Directors are contained in this section and in the State-issued Behavioral Health Guidance.

Transition of Behavioral Health Benefit into Medicaid Managed Care and Health and Recovery Program Implementation released October 2015: Section VII.5

For all MCOs product lines: The MCO shall provide written notice to the State within seven calendar days after the effective date of termination or resignation of any of the key staff listed in Section 3. B above, including the name of the interim contact person performing the key staff person's duties, if a replacement is not found within that time. In addition to the notice of termination or resignation, the MCO shall submit a written proposal for replacing the key staff person, including expected timelines for recruitment activities. The MCO shall also notify the State at the earliest practicable time, but in no event later than seven days if a key staff member who is required to be full-time drops below full-time status. The State reserves the right to review the qualifications of key staff replacements at any time and require the MCO to identify a different key staff person if their replacement does not meet the requirements set forth in this guidance.

Finding:

Based on communication and review of the required biannual Exhibit 1: Staffing Plan for Adult and Children report submitted on October 1, 2020 and subsequent documents, MetroPlus failed to provide written notification to the State within seven calendar days after the date of termination or resignation of the Behavioral Health (BH) Clinical Director for adults and the HARP BH Medical Director positions in accordance with the requirements. The Office of Mental Health (OMH) and Office of Addiction Services and Support (OASAS) issued a memo on May 6, 2020, entitled *Notification of MCO Key Staff Vacancies*, to Medicaid Managed Care Organizations (MCOs) to stress the importance of timely written notification to the State and to remind the Plans of the requirements.

Specifically, the BH Clinical Director for Adults position was vacated on March 3, 2020 and the HARP BH Medical Director for adults was vacated in January 2020. Written notification was first received on October 1, 2020 with the Exhibit 1: Staffing Plan for Adult and Children. Review of additional documentation submitted on February 18, 2021 confirmed MetroPlus did not provide timely notification to the State as required by disclosing "A record of a direct notification outside of Exhibit 1 cannot be found." MetroPlus failed to notify the State of the vacancies of the key BH staffing positions as required.

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**Children's Medicaid System Transformation Behavioral Health State Plan Services
Transition to Medicaid Managed Care: Section VI. Staffing Requirements**

The MMCP must provide written notice to the State within seven calendar days after the effective date of termination or resignation of any of the key staff listed in this section and must provide the name of the interim contact person performing the key staff person's duties, if a replacement is not found within that time. In addition, the MMCP must submit a written proposal describing plans for replacing key staff person, including expected timelines for recruitment activities.

Finding:

Based on communication and review of the required biannual Exhibit 1: Staffing Plan for Adult and Children report submitted on October 1, 2020 and subsequent documentation, MetroPlus failed to provide written notification to the State within seven calendar days after the date of termination or resignation of the Behavioral Health (BH) Medical Director for Children's Services position in accordance with the requirements. The Office of Mental Health (OMH) and Office of Addiction Services and Support (OASAS) issued a memo on May 6, 2020, entitled *Notification of MCO Key Staff Vacancies*, to Medicaid Managed Care Organizations (MCOs) to stress the importance of timely written notification to the State and to remind the Plans of the requirements.

Specifically, the BH Medical Director for Children's was vacated on May 26, 2020. Written notification was first received on October 1, 2020 with the Exhibit 1: Staffing Plan for Adult and Children. Review of additional documentation submitted on February 18, 2021 confirmed MetroPlus did not provide timely notification to the State as required by disclosing "A record of a direct notification outside of Exhibit 1 cannot be found." MetroPlus failed to notify the State of the vacancies of the key BH staffing positions as required.

MetroPlus Response:

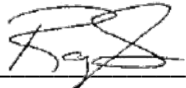
MetroPlus HealthPlan has reviewed the findings presented by the State regarding the focus survey reviewing behavioral health key staffing during October 1, 2020 through February 18, 2021. We are committed to meeting the notification requirements as outlined in the Office of Mental Health and Office of Addition Services and Support memo entitled *Notification of MCO Key Staff Vacancies*, under Medicaid Model Contract, Section 16.13.a, and the Children's Medicaid System Transformation Behavioral Health State Plan Services Transition to Medicaid Managed Care, Section VI. Staffing Requirements and have adjusted our processes to remediate the findings issued.

At the time of MetroPlus' response to the survey, we identified a gap in the notification process between Beacon and MetroPlus. To address this issue, MetroPlus worked closely with Beacon to formalize a process where MetroPlus' Director of Behavioral Health Operations is notified in writing within 4 calendar days of key staff position changes. An exhibit containing all key staff positions, as identified by the State, was shared with Beacon to ensure all roles were captured within this process. This notification is then communicated to the State within the required timeframe. This process was implemented on February 18, 2021.

With the management and administration of behavioral health services transitioned internally to MetroPlus, a process was formalized to ensure compliance with our notification requirements on November 4, 2021. Our Human Resources department has been provided with a list of key staff positions that require State notification. If an employee holding any of these key positions is terminated or resigns, the Human Resource department contacts the Compliance division. Raven Ryan Solon, the Chief Compliance and Regulatory Officer, is then responsible for tracking and issuing the notice to the State in a timely manner. As part of our Policy and Procedure Program, this documented process is reviewed on an annual basis.

The processes described above will ensure that MetroPlus continues to meet its notification requirements pertaining to key staff vacancies.

If you have any questions or concerns, please feel free to contact me at the number listed below.



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January 19, 2022
Date