

IHCP *bulletin*

INDIANA HEALTH COVERAGE PROGRAMS BT201254 DECEMBER 27, 2012



The OMPP implements nursing facility QAF appeal reduction plan

The Indiana General Assembly passed legislation in the 2011 budget session requiring the Office of Medicaid Policy and Planning (OMPP) to use portions of the increased quality assessment fee (QAF) collected from nursing facilities to discharge provider liability for certain pending administrative appeals (*IC 16-28-15-8*).

Accordingly, the OMPP is offering to discharge nursing facilities' potential liability arising from audit adjustments in exchange for the withdrawal of specified Medicaid audit and rate appeals. In addition, as negotiated with the nursing facility trade associations (Indiana Health Care Association, Hoosier Owners and Providers for the Elderly, and LeadingAge Indiana), the OMPP agreed to permit certain historically denied costs, many of which are the subject of appeals, to be reimbursed as allowable costs as of July 1, 2012.

The Family and Social Services Administration's (FSSA's) Office of General Counsel (OGC) will notify nursing facility providers that are eligible to settle outstanding audit and rate appeals through this appeal reduction plan. Because the liability from the audit will be satisfied from a portion of the statewide QAF collections, no additional payments are necessary from individual providers that enter into agreements to settle the liability. The provider must agree to withdraw all identified audit and rate appeals to participate in this offer.

Each provider with outstanding rate appeals before the Rate Effective Date (RED) October 1, 2011, and audit appeals before the draft audit report notice date of July 1, 2011, will be notified by mail regarding the appeals selected for

[Continue](#)

resolution. Due to the scope of this project, processing of appeals for settlement will be arranged in batches, so a provider may receive more than one notice from the OGC. A provider may request consideration of other known outstanding rate or audit appeals at any time in this process to ensure that all the provider's appeals are resolved. The provider will have 33 days from the date of the notification letter to respond to the OGC's offer.

It is the nursing facility provider's responsibility to update its contact information, including its mailing address. Corrections to contact information should be sent both to Jennifer.Jenvey@fssa.IN.gov at the OMPP, as well as to HP, following the instructions on the [Update Your Provider Profile page](#) on indianamedicaid.com. When processing is complete, a notice will be sent to the provider confirming the address update.

To accept the OMPP's offer of settlement, the provider must complete and sign the voluntary withdrawal form, which will accompany the OGC's notice, and return it as instructed in the letter. If the provider decides to forego this offer, arrangements will be made to proceed with the administrative appeals. In these cases, any overpayment determined by the administrative law judge will be recouped by the State from the individual provider.

Please be advised that this withdrawal of appeals in no way discharges the provider's liability with regard to any current or future civil and administrative matters for fraudulent activity, or any other improper conduct or overpayment unrelated to the subject matter of the appeals. Further, this decision does not affect any action the OMPP may initiate against the provider in matters or claims arising under federal or state law unrelated to the subject matter of the appeals.

QUESTIONS?

If you have questions about this publication, please contact Customer Assistance at (317) 655-3240 in the Indianapolis local area or toll-free at 1-800-577-1278.

COPIES OF THIS PUBLICATION

If you need additional copies of this publication, please [download them](#) from indianamedicaid.com. To receive email notices of future IHCP publications, [subscribe](#) to IHCP Email Notifications.

TO PRINT

A [printer-friendly version](#) of this publication, in black and white and without graphics, is available for your convenience.