

**Health Plan of San Mateo
Policy & Procedure Manual**

Procedure: CP.022		Title: Delegation Oversight Subcommittee and Charter	Original Effective Date: 05/26/2022
Revision: 0	Last Reviewed /Revised: 05/26/2022	Dept: Compliance	Page 1 of 5

Approval By: Compliance Committee	Date: 07/29/2022
Annual Review Date: 07/01/2023	
Authored by: Director of Compliance	
Pursuant To: <input type="checkbox"/> DHCS Contract Provision <input type="checkbox"/> Health and Safety (H&S) Code <input type="checkbox"/> CFR <input type="checkbox"/> APL / DPL	<input type="checkbox"/> W & I Code <input type="checkbox"/> California Title # <input checked="" type="checkbox"/> Organization Need <input type="checkbox"/> Other:
Departments Impacted: All	

Policy:

TBD

Scope

This procedure applies to (check all that apply):

<input checked="" type="checkbox"/> All LOBs/Entire Organization	<input type="checkbox"/> CCS	<input type="checkbox"/> Medi-Cal Expansion
	<input type="checkbox"/>	<input type="checkbox"/> Medi-Cal Adults
<input type="checkbox"/> ACE	<input type="checkbox"/> HealthWorx	<input type="checkbox"/> Medi-Cal Children
<input type="checkbox"/> CA-CMC / MMP / DSNP	<input type="checkbox"/> Medi-Cal	<input type="checkbox"/> Other (specify)

Responsibility and Authority

- The Chief Compliance Officer is responsible overseeing HPSM's Compliance program, including the provision of appropriate oversight of delegated entities.
- The Director of Compliance is responsible for chairing the Delegation Oversight Subcommittee and ensuring the flow of monitoring data with respect to ongoing delegated entity performance.

Definitions

Account Manager is the HPSM business owner responsible for day-to-day oversight of subcontractors delegated responsibilities of the business owner's operational area.

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Auditing is a formal review of compliance with a particular set of internal (e.g., policies and procedures) or external (e.g., laws and regulations) standards used as base measures, and are performed by someone with no vested interest in the outcomes or FDR being reviewed.

Delegate is any entity that HPSM enters into a contract with and is authorized to perform functions which HPSM is obligated to perform pursuant to contractual obligations, regulations, and accreditation standards.

Monitoring includes surveillance activities conducted during the normal course of operations and which may not necessarily be independent of the business area being monitored (e.g., self-reviews, peer reviews, etc.). Monitoring activities may occur to ensure corrective actions are being implemented and maintained effectively or when no specific problems have been identified to confirm ongoing compliance.

Subcontractor any entity that HPSM contracts with to perform services for or on behalf of HPSM.

First Tier Entity is any party that enters into a written arrangement with HPSM to provide administrative services or health care services to an HPSM member.

Downstream Entity is any party that enters into a written arrangement, acceptable to CMS, with persons or entities involved with an HPSM Medicare line of business below the level of the arrangement between HPSM and a first-tier entity. These written arrangements continue down to the level of the ultimate provider of both health and administrative services.

Related Entity would be any entity related to HPSM by common ownership or control and (1) performs some of HPSM's management functions under contract or delegation; (2) furnishes services to Medicare beneficiaries under an oral or written agreement; or (3) leases property or sells materials to HPSM at a cost of more than \$2,500 during a contract period.

Procedure

1.0 Charter Development

- 1.1 The Delegation Oversight Subcommittee Charter is developed to provide guidance and structure for the Delegation Oversight Subcommittee.
- 1.2 The Charter will be reviewed annually by the Compliance Committee and Delegation Oversight Subcommittee to ensure its continued applicability to delegation oversight activities of HPSM.

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- 1.3 Changes to the Charter will require the majority approval of the Compliance Committee.
- 1.4 Changes are made to the Charter as needed due to changes in regulation, membership of the committee, other operational adjustments, or the business needs of HPSM.
- 2.0 Responsibilities and Duties
 - 2.1 The Delegation Oversight Subcommittee is responsible for assisting the Compliance Department and Compliance Committee to develop policies, procedures, and other materials to ensure adequate oversight of HPSM's delegated activities and subcontractors.
 - 2.2 Subcommittee members with relationships with delegated entities are primarily responsible for representing the status of those entities at subcommittee meetings.
 - 2.3 The Subcommittee shall review all HPSM policies relating to delegation oversight prior to review by the Compliance Committee.
 - 2.4 Subcommittee members shall stay abreast of the regulatory landscape for HPSM's programs, including but not limited to Medicare, Medi-Cal, and NCQA requirements related to delegation oversight.
 - 2.5 Subcommittee members shall stay informed of the performance of any delegated entities for which they have oversight responsibility and share with the Subcommittee any performance issues or other concerns about which the Subcommittee should be aware.
 - 2.6 Subcommittee members shall report any non-compliance from a delegated entity to the Subcommittee and the Compliance Department, including failure to adhere to HPSM policies and procedures, the contract between HPSM and the delegated entity, and applicable regulatory standards. Subcommittee members shall also report any instances of fraud, waste, and abuse and suspected or confirmed privacy violations in accordance with HPSM Compliance policies.
 - 2.7 Subcommittee members shall ensure their assigned delegated entities close any issues of non-compliance in accordance with HPSM expectations and applicable regulatory requirements. Subcommittee members will work with Compliance Department staff to ensure work relating to non-compliance, including revised policies and procedures, training, case files, and/or monitoring data is provided to HPSM.
 - 2.8 The Subcommittee shall support Compliance Department oversight activities, including audits of delegated entities, by providing input into audit activities, tools, and providing staff support if necessary for auditing activities.

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- 2.9 The Subcommittee shall review the identified delegated entities, including FDRs, is accurate and complete.
- 3.0 Membership
 - 3.1 Subcommittee members shall include key HPSM staff, including, but not limited to management from operational areas with delegated subcontracts, assigned business owners (account managers), Compliance Department staff, and members of the Leadership Team.
 - 3.2 Membership may be modified at any time as needed to ensure the Subcommittee membership reflects the landscape of delegated activities at HPSM.
 - 3.3 Participation in meetings shall be captured in the minutes.
- 4.0 Records and Reporting
 - 4.1 Meeting packets, including minutes, shall be maintained according to HPSM policy on records retention.
 - 4.2 Minutes shall be provided to the Compliance Department for review at the next regularly scheduled Compliance Committee meeting after the Delegation Oversight Subcommittee meets.
- 5.0 Meetings
 - 5.1 The Subcommittee will meet at least quarterly, or more frequently as determined by the Chief Compliance Officer or the Chair of the Subcommittee.
 - 5.2 A simple majority of membership shall constitute a quorum. The chair or their designee must be present for the quorum to be in effect.
 - 5.3 If materials need to be approved between official meeting items, the use of Voting Buttons in Microsoft Outlook will be used to obtain Approval/Rejection from Subcommittee members.

Related Documentation

- CP.021 Delegation Oversight Activities and Responsibilities
- CP.023 Pre-Delegation Review
- CP.028 Delegation Monitoring and Auditing
- CP.029 Oversight Responsibilities for Medicare Delegates (FDR)
- CP.030 Oversight Responsibilities for Medi-Cal Delegates

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Attachments

- None

Log of Revisions	
Revision Number	Revision Date
0	05/26/2022