

Medicare Advantage Mandatory Provider Fraud, Waste, and Abuse Training

Blue Cross and Blue Shield of New Mexico (BCBSNM) and Blue Medicare PPO are committed to compliance with the Centers for Medicare and Medicaid Services (CMS) requirements and to that end, we are also committed to ensuring that our contracted providers remain in compliance. On December 5, 2007, CMS published "Revisions to the Medicare Advantage and Part D Prescription Drug Contract Determinations, Appeals, and Intermediate Sanctions Processes; Final Rule" which includes a requirement that Plan Sponsors provide all contracting providers (i.e., physician practices, facilities, DME providers, etc.) participating in a Medicare Advantage (Part C) network with Fraud Waste and Abuse (FWA) training annually. CMS specifies that participation in this training is mandatory for anyone in the provider's practice who may interface with a Medicare Part C beneficiary. BCBSNM/Blue Medicare PPO will leave the decision as to who in the practice or facility will require the training to the discretion of the physician or Compliance Officer. This rule was effective on January 1, 2009 and the training for 2009 must be completed by December 31, 2009 in order for providers to remain active in the Part C network in 2010.

This requirement grew out of an ongoing concern about the rising cost of health care combined with the overwhelming number of fraud, waste and abuse cases involving the Medicare program and its beneficiaries. BCBSNM/Blue Medicare PPO strongly supports this requirement because we believe that it is the right thing to do. To meet this requirement BCBSNM/Blue Medicare PPO will make its FWA training program for providers available on our website. To access the training, providers will click on a designated link to access the training course. No special software is required; however, you will need an active internet connection. ***Instructions for signing in will be posted in a future notice on our web page and in upcoming provider newsletters.*** The training will take approximately 45-60 minutes to complete. Please be sure to turn on the sound on your computer as the training is narrated.

We recognize that since CMS requires that each Plan Sponsor make FWA training available to its participating providers you could be inundated with training requirements, depending on the number of Part C networks you are participating in. In order to reduce the training burden, BCBSNM/Blue Medicare PPO does not require that you complete our FWA training course specifically. We will accept the following in lieu of our FWA course:

- Completion of a FWA training course offered by any other Medicare Part C Plan Sponsor with whom you are contracted.
- Completion of a FWA training course on the Medicare Learning Network (MLN); or,
- Completion of a FWA training course offered by a hospital where you have admitting privileges; or,
- Completion of your an in-house developed FWA training course as long as it includes the following:
 - Information about the various laws and regulations related to FWA;
 - How to detect, prevent and correct FWA; and,
 - How and where to report potential FWA violations; or,
- Completion of you're a vendor developed FWA training course as long as it includes the following:
 - Information about the various laws and regulations related to FWA;
 - How to detect, prevent and correct FWA; and,
 - How and where to report potential FWA violations

Training completion must be between January 1, 2009 and December 31, 2009.

At the completion of the training BCBSNM/Blue Medicare PPO will require that the contracting physician or Compliance Officer complete our online certification attesting that all employees identified as requiring

FWA training have completed such. In addition, and in compliance with CMS regulations, the practice or entity will be required to maintain training logs and information regarding who completed the training, the date on which the training was completed and information regarding the training program that was completed by each employee. These records must be maintained for a period of 10 years, which is the Medicare record retention period. In addition, these training records must also be made available to BCBSNM/Blue Medicare PPO as requested for audit purposes.

Questions regarding this CMS requirement can be directed to [Cathie Rowland Robert@BCBSNM.com](mailto:Cathie_Rowland_Robert@BCBSNM.com) or 505-816-2132.

SM Service Mark of the Blue Cross and Blue Shield Association, an Association of Independent Blue Cross and Blue Shield Plans

A Medicare Advantage plan offered by HCSC Insurance Services Company, an Independent Licensee of the Blue Cross and Blue Shield Association under contract H3208 with the Centers for Medicare and Medicaid Services.