

HEP Compliance -- What Happens Next?

While the Health Enhancement Program has already begun showing positive results in terms of improving health and lowering costs, there have been many glitches and imperfections in its beginning years of implementation. Some of these imperfections have caused members who are fully compliant with the program needless stress as they waited for data to be updated for lagging claims, CMS to update portals or answer phones, etc. For the many thousands of state employees now shown as compliant the 2013 compliance year has been frustrating, but the process is now over, and we can look forward to a hopefully greatly improved and less glitch 2014.

But many other employees are still listed as non-compliant, and still struggling with the frustrations caused by startup glitches, and we want to be clear about how the process moves forward for those employees. Here are the key things to remember;

- ***It is not the vendor (CMS) who ultimately determines if you are compliant and can continue receiving the financial benefits of being in compliance with the HEP. It is the joint Health Care Cost Containment Committee (the "HCCCC"), which is a labor management committee made up of equal numbers of union and management representatives, and if necessary a neutral arbitrator. Nobody can be removed from participation without the HCCCC's affirmative vote.***
- ***If you really are non-compliant, it is in your interest to become compliant as soon as you can. This could prevent your removal altogether, or at very least get you reinstated quickly, depending upon how soon you act. The agreement requires you to be placed back in good standing in the program on the first of the month following your removal.***
- ***If you are receiving information from CMS that indicates you are non-compliant, but you believe you are compliant, remember this:***
 - ***The HCCCC will not remove people who are compliant. If CMS is wrong, they are wrong. It is not their decision.***
 - ***You will shortly receive a letter which will allow you to respond and directly indicate to the HCCCC that you believe you are compliant and why. Your response will either clear up the issue, or if it doesn't will cause you to be contacted directly so that the issue can be resolved. Removal happens because a member or his/her covered dependent genuinely refuses to keep a commitment required under the program, not because the portal is inaccurate or incomplete, or claims information is imperfect.***

We are proud to be part of a program that saves money by keeping members healthier, rather than by cutting benefits or raising premium shares. We hope that the glitches and frustrations that have characterized this year will at some point truly be behind us. But in the meantime, we appreciate the patience of all the HEP participants, and reiterate our commitment that no one gets removed from the financial benefits of the program unless it is shown to the HCCCC that they genuinely refused to comply.