

NORTHCARE NETWORK

POLICY TITLE: Network Provider Grievance and Appeal Process Administrative Policy	CATEGORY: Provider Network Management	
EFFECTIVE DATE: 10/3/12	BOARD APPROVAL DATE: 3/21/13	
REVIEWED DATE: 2/14/23	REVISION(S) TO POLICY STATEMENT: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	OTHER REVISION(S): <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
RESPONSIBLE PARTY: QI/Compliance Officer	CEO APPROVAL: 3/7/23 Megan Rooney, Interim CEO	

APPLIES TO

NorthCare Network Personnel
 Network Providers

POLICY

The intent of NorthCare Network and participating providers is to foster a positive and mutually supportive relationship with its provider network. When problems and disagreements arise, the following policy should be used for provider grievances and appeals. NorthCare will appropriately notify authorities, including state licensing agencies and/or the National Practitioner Database (NPDB), when actions are taken against practitioners (e.g., suspension and termination from the NorthCare Provider Network).

PURPOSE

To outline a mechanism for participating provider grievances (complaints) and requests for reconsideration of decisions (appeal) relating to provider network management issues, including their status within the provider network and actions related to provider’s non-compliance, professional competency, or conduct. These actions may include decisions made in the NorthCare Network Provider Monitoring Process(es) or instances when NorthCare Network has chosen to discontinue a provider’s participating status within the Network based on issues of quality of care/service, performance, or non-compliance or when denying a provider’s application as a paneled provider. It also includes action taken as a result of any other breaches highlighted in the contract as a “material breach” and a potential cause for termination such as discrimination, non-compliance with applicable laws, non-compliance with consumers’ recipient rights and consumer grievance procedures, etc.

DEFINITIONS

1. ***Grievance/Complaint:*** a formal complaint made on the basis of something that somebody feels is unfair.

2. ***Group/Individually Licensed Provider:*** An individual contracted with NorthCare Network to provide behavioral health care, support, or services who has met the qualifications evidenced by education, training, certification, registration, or experience.

3. **Organizational Providers (Facilities):** are providers with whom NorthCare Network contracts and that directly employ and/or contract with individual practitioners to provide behavioral health care services. Examples of organizational providers include but are not limited to: Member Community Mental Health Services Programs; psychiatric hospitals; substance use treatment programs; and specialized residential providers.
4. **Specialized Residential Providers:** Licensed foster care homes operating with a specialized certification from the Department of Consumer and Industry.
5. **Sub-Contractor:** a secondary contract in which the Member CMHSP originally contracted with in turn contracts with another individual or entity to provide all or part of the work or service.

REFERENCES

- BBA Section 438.214(b)(2)
- PIHP/MDHHS Contract
- Accreditation Standards, as applicable
- NorthCare Network Provider Appeal Request Form
- NorthCare Network Provider Network Management Policies, as applicable

HISTORY

REVISION DATE: 3/13/13, 9/13/13, 1/24/17, 11/16/17, 9/25/18, 1/21/20, 8/24/20, 6/18/21, 2/14/23

REVIEW DATE: 9/12/12, 3/13/13, 9/13/13, 6/14/14, 5/22/15, 3/22/16, 1/24/17, 11/16/17, 9/25/18, 1/21/20, 8/24/20, 6/18/2, 4/15/22, 2/14/23

CEO APPROVE DATE: 9/14/12, 3/13/13, 9/13/13, 6/14/14, 6/2/15, 4/4/16, 2/7/17, 12/11/17, 9/25/18, 2/4/20, 9/1/20, 11/2/21, 5/3/22, 3/7/23

BOARD APPROVAL DATE: 10/3/12, 3/21/13

PROCEDURES

- A. This grievance and appeal process does not apply to medical necessity appeals (which are covered in the Provider Appeal Policy-Medicaid ABC (Medical Necessity) and Payment) or conditions dictated in the provider contract that result in immediate termination or suspension such as the revocation, restriction, suspension, discontinuation or loss of required certification, accreditation, authorization or license required by any federal or State local law, ordinance, rule or regulation to operate and/or provide services in this Network or the exclusion, debarment or suspension from participation in any federal or State health care programs. See the provider contract for a full listing of conditions for immediate termination.
- B. An appeal of contract termination shall have no effect on the immediate termination of the contract and services under contract. The termination will remain in effect until the appeal process is completed and will be rescinded only if the termination is not upheld on the appeal.
- C. The right to appeal will be included in each provider contract and reference by policy.

D. If an organizational provider, group, or individually licensed provider disagrees with a determination by NorthCare Network in the application process or during review of a provider's status and wishes to initiate the grievance and appeal process, the provider may do so by submitting a written request to NorthCare's Chief Executive Officer within thirty (30) calendar days of disposition. The request must include the following (see Dispute Resolution Request Form):

1. Reason for dispute
2. Documentation to support the dispute

E. All provider appeals must be received, in writing, within 30 days of notification of the action that is being appealed. Supporting documents, written statements, and other documentation that support the appeal may accompany the appeal request. The request for appeal may be mailed, faxed, or emailed to:

NorthCare Network
Attn: Chief Executive Officer
1230 Wilson Street
Marquette, MI 49855
Fax: 906-232-1070
Email: appeals@northcarenetwork.org

F. A first-level review will be conducted within twenty (20) calendar days of receipt of the provider request by a panel of at least three qualified individuals not involved in previous decisions relating to this grievance. At least one member will be a participating provider not involved in the day-to-day operations of network management and who is a peer of the participating provider that filed the dispute. Members of NorthCare Network's Credentialing Committee may be used for this level review.

G. If the first-level review is not satisfactory and there is additional information to be considered from the provider, a second-level review may be requested by submitting written request for a second-level review to NorthCare Network's CEO within 14-days of disposition from first level review.

H. Consideration by a second-level review will be conducted within fourteen (14) calendar days of request by provider by a panel of at least three qualified individuals not involved in previous decisions relating to this grievance. At least one member will be a participating provider not involved in the day-to-day operations of network management and who is a peer of the participating provider that filed the grievance. Members of NorthCare Network's Performance Management Committee may be used for this level review.

I. After formal review of the grievance, a written summary of NorthCare Network's examination and outcome will be given to the provider, within fourteen (14) calendar days of completion.

J. The decision of the review panel shall be the final NorthCare Network position regarding the grievance.

- K. Any corrective action plan issued by NorthCare Network regarding action being appealed shall be on hold pending the final NorthCare Network decision regarding the grievance.
- L. An emergent request shall be processed within five (5) business days.
- M. If a provider has been issued a dismissal notice from the network, then the provider is considered participating up through the last day of participation as indicated on the notice unless the notice is received on or after the last participation day, in which case the provider must be given reasonable time to initiate the appeal mechanism.