

2019 DMEC ANNUAL CONFERENCE
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Launching Your Organization's Self Audit Checklist

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Agenda

- Understand what triggers DOL and EEOC audits and what happens
- Consider the benefits of a self audit and what challenges exist
- Provide ideas on how to get started and stay on target
- Create your best practice checklist



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Audit Triggers

Employee Complaints

Form 5500 Issues

Bad Luck



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What happens in an Audit

DOL	EEOC	Self Audit
<ol style="list-style-type: none">DOL OIG (Office of Inspector General) will usually notify auditee in advance (in writing) but there are circumstances where no notice is givenEntrance conference to review description of audit scope and objectivesPerform the audit; organization must respond to data requestsOIG typically keeps management aware of progress through briefings or discussions/meetingsPreliminary Results and Exit ConferenceThe Audit Report: typically first in draft as work in progress and not a public documentAudit resolution	<ol style="list-style-type: none">Notify organization within 10 daysEEOC will advise both parties about mediation and settlement optionsBegin investigation; organization:<ul style="list-style-type: none">Submit statement of positionRespond to RFIPermit an onsite visitProvide contact information and support witness interviewsEEOC will facilitate review and make determination on the merits of the charge. Will result in Dismissal and Notice of Rights or Letter of Determination. If the EEOC does not litigate, the charging party will receive a Notice of Right to Sue and may file suit within 90 days	<p>Is my program _____?</p> <ul style="list-style-type: none">Ready for external audit: compliantMeeting our internal goalsEfficient (process driven)Competitive (benchmark driven)Well managed (claim metrics)Other...

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Benefits of Self Audit

- Educate the team on audits overall; highlight the importance of compliance
- Redefine roles and responsibilities
- Set a baseline for further progress
- Identify areas of weakness before they are uncovered by others
- It can be a phased, controlled approach toward continuous quality improvement (although be careful to not be in "audit" mode indefinitely)

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Self Audit Challenges

- Bandwidth
- Identifying the best resources to engage (internal vs. external)
- Setting a tool, checklist, deliverable to compare against
- Starting and stopping (including not completing tasks full circle from the perspective of the team) is likely worse than doing nothing
- Must balance the impact of issues being identified:
 - Makes the business case for change
 - May place the team in a negative light

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Getting Started

- Be thoughtful in your roadmap
- Communicate your plan and follow through; phases can work well
- Consider what can be done internally vs. externally
- Although preparation is key, avoid overthinking the process
 - When in doubt...pick a complex claim and start reviewing it...the things you want to know will become your checklist
 - Still struggling with where to begin? Find a recent complaint and dig in...



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External Audit



Review Documentation (Policies, Training Material, Complaint Protocols)

Tour Your Facility and Objectively Interview Team (or find someone else to do it)

Review External Communications

Find Process Gaps

Dissect Your Data

Detailed Claim Review and Storage of Data

Facilitate a review of all calculations done related to eligibility. Consider if data feeds are still designed with the appropriate goals in mind. If IT resources cannot be leveraged, pull raw data on a subset and manually compare results.

Review correspondence templates (or actual communications) and forms. Consider if they are compliant, sent timely and contain the correct level of information. Consider attachments as well as specialty job descriptions.

Review all your internal material. Are the policies accurate and compliant? Are benefits in line with all federal, state and local requirements? Look at each state individually. Are you training staff members appropriately? Is there guidance and escalation around complaints?

Some organizations begin with a detailed claim review. This may make sense but not always. If all the categories are reviewed without issue, then a small sample of claims could be reviewed to build comfort with the team. If issues exist, then a larger sample may be required to determine if gaps are systemic. Make sure data is maintained 3+ years.

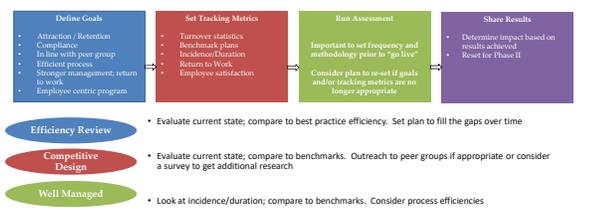
Look at practices and procedures specifically related to reporting absences, calculating service, designated time, intermittent leave, certification and re-certification rules. If outreach is made to employees is it done in line with requirements. Consider if anyone "falls out" of the process or if internal resources are not following through with their obligations.

Take time to tour your facility. Consider posting requirements, security protocols. Talk with your team about gaps in your process, turn around requirements, complaint processes, etc. Try to uncover what they would be external resources before that happens.



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Other Priority "Audits" to Consider



Define Goals

- Attraction / Retention
- Compliance
- In line with peer group
- Efficient process
- Stronger management, return to work
- Employee centric program

Set Tracking Metrics

- Turnover statistics
- Benchmark plans
- Incidence/Duration
- Return to Work
- Employee satisfaction

Run Assessment

- Important to set frequency and methodology prior to "go live"
- Consider plan to reset if goals and/or tracking metrics are no longer appropriate

Share Results

- Determine impact based on results achieved
- Reset for Phase II

Efficiency Review

- Evaluate current state, compare to best practice efficiency. Set plan to fill the gaps over time

Competitive Design

- Evaluate current state, compare to benchmarks. Outreach to peer groups if appropriate or consider a survey to get additional research

Well Managed

- Look at incidence/duration; compare to benchmarks. Consider process efficiencies



Tuesday Concurrent Session F2

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Appendix



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Starting Point Checklist

- Review Documentation
 - Catalogue all documentation (policies, training, brochures, etc.)
 - Review of consistency (across documents)
 - Review for consistency with law (FMLA, ADA, Statutory disability, Paid Sick, etc.); consider federal, statutory, local regulation that apply to your workforce
 - Eligibility details, 12-month definition, certification requirements, substitution of paid leave, concurrency, intermittent leave, fitness for duty, right to benefits during absence, reference to any outside work prohibitions, reinstatement, where to get support
 - Consider managers (or other SMEs). Do they have the appropriate training to support compliance? How often are refresher trainings performed and how do you ensure compliance?
 - Do supervisors understand the legal limits (i.e. discrimination, retaliation, etc.)?

Tip: If this feels like too much, tackle it by program (e.g. FMLA and Paid Sick)

Unwritten "policies" will come up during an audit.



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Starting Point Checklist

- Tour Facility
 - Have you posted all notices prominently?
 - Are appropriate languages posted?
 - Is data stored securely?
 - Are files maintained separately from personnel files? Are you sure?...educate managers
- Interview Team (Resources are critical on this one!)
 - Identify the right team members
 - Core internal team managing cases
 - Core internal team managing vendor partners
 - SMEs
 - Discuss pain points vs. working well, areas of ambiguity, recent challenging claims
 - Follow the conversation; don't steer it

Perhaps the most important step! But make sure you don't ask for information and then do nothing.

Asking the right questions is important. You may need to have an external resource support this effort.



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Starting Point Checklist

- Review External Communications
 - Are your forms in line with requirements?
 - Are notices and designations provided in timely manner and contain required components?
 - Attachments
 - Turn around times
- Consider Internal Communications as well; everything will be discoverable



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Starting Point Checklist

Run statistical data to help shortcut this process if bandwidth is an issue

- Consider the Process
 - Are your processes consistent? Consider intake, decisions, case management, notifications, return to work
 - Consider intermittent time - is it tracked consistently?
 - Are approvals uniformly reviewed, including initial certification, recertification, etc.?
 - Think about what isn't "controlled" or "owned" by you/your team; consider high risk areas
 - Focus on complaints and/or appeals if you need a starting point



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Starting Point Checklist

- Dissect Your Data
 - Audit information you are sharing for decisions (i.e. eligibility)
 - State, hierarchy, hours worked, plan enrollment, service dates, etc.
 - You are responsible for clean and accurate information





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Starting Point Checklist

- Detailed Claim Review / Storage of Data
 - 3+ years of data
 - Consider where all "data" is stored and how it will be accessed (insource, outsourced, co-sourced)
 - Your team will likely be able to prioritize data issues





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Questions?