



VIVA HEALTH, Inc. provides this newsletter as a resource to its contracted entities that meet the CMS definition of a first tier, downstream or related entity (FDR). This newsletter is published annually and will be available on our website at www.VivaHealth.com/FDR.

We hope you find this newsletter helpful. We value your feedback and suggestions! If there are topics you would like for us to address in a future newsletter, please let us know. You can reach out to one of the contacts listed in the "Your VIVA HEALTH Contacts" box on the last page of this newsletter.



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VIVA MEDICARE Earns High Marks From CMS

For 2022, VIVA MEDICARE earned 5-out-of-5 stars from CMS on its Medicare quality performance.

The highest score a plan can receive! The score is based on 46 different quality measures that illustrate everything from customer service to how well the plan helps its members stay healthy. In addition, VIVA MEDICARE is one of the most highly rated plans in Alabama for 12 years in a row.



5 out of 5 Stars!
Highest Star Rating
for a plan in Alabama¹



Highest Members' Rating
for a plan in Alabama³

We appreciate our FDRs' support in helping us achieve these excellent ratings!

¹Every year, Medicare evaluates plans based on a 5-star rating system. The Star Rating referenced is for contract year 2022. ²<https://health.usnews.com/medicare> ³Based on the 2022 Medicare & You Handbook for Alabama.

2022 Changes to VIVA MEDICARE!



New Plan in 2022! *Infirmiry Health Advantage*

We are excited to announce our newest partnership with **Infirmiry Health!**

We now offer a new plan in partnership with **Infirmiry Health** in Mobile and Baldwin Counties.

This will cause changes to the eligibility file to include a new group number (JEF220) and additional PORGs (MIHA and MIPA).



Now offering a new plan at East Alabama Medical Center

We have also expanded our VIVA MEDICARE Me (HMO) plan into Lee County in partnership with **East Alabama Healthcare Network.**

This will cause changes to the eligibility file to include additional PORGs (MIHA and MIPA) that will be associated with current JEF214 group number.



Our network is *growing!*



VIVA MEDICARE is expanding its service area for 2022 to include **Marshall County.**



The addition will affect the following plans; Classic (JEF217), Preferred (JEF218), Extra Care (JEF219) and Select (JEF008).

2022 CMS Program Audit Preview

Even with the different COVID-19 pandemic requirements, CMS conducted CMS Program Audits in 2021, and will conduct them again in 2022.

Based on last year, we expect the 2022 audits will be conducted from March through July 2022. A plan's chances to be audited increase every year since their last audit. VIVA HEALTH's last CMS Program Audit occurred in 2014, so there is a very good chance VIVA HEALTH will be on the 2022 schedule.

For 2022, the CMS Program Audits will look different than the past few years. While the 2022 audit categories are basically staying the same and will include:

ODAG (Organization Determinations, Appeals & Grievances)

CDAG (Coverage Determinations, Appeals & Grievances)

FA (Formulary Administration)

SNP CC (Special Needs Plans Care Coordination formerly known as SNP Model of Care)

CPE (Compliance Program Effectiveness including FWA and Vendor Oversight)

For 2022, CMS changed all of the CMS Program Audit universes, which corresponds to revising the codes to pull each audit universe. VIVA HEALTH is currently updating each universe and corresponding review processes and will share these as needed.

While we do not know if we will be audited this year or the next, it is important to remember that the audits are just a tool to evaluate VIVA HEALTH's operations and if we are meeting the CMS requirements. So as long as we take care of our members within the regulatory guidelines, our audits will be successful.



VIVA HEALTH'S Annual Compliance And Offshore Attestation

FDRs are required to complete VIVA HEALTH's Annual Compliance and Offshore Attestation. This form is available on our website at www.VivaHealth.com/FDR.

If you have not done so already, please go to our website to obtain the form, complete it, and return it to VIVA HEALTH by December 15, 2021. Please remember, the attestation must be completed by an authorized representative of your organization.



RISK MANAGEMENT & THIRD PARTY VENDORS

There have been a number of global supply chain attacks in recent history, like Solarwinds and Kaseya.

The Solarwinds attack alone affected:

- More than 425 of the US Fortune 500
- All top 10 US Telecommunications companies
- All 5 Branches of the US Military
- The US Pentagon, State Department, NASA, NSA, DoJ, and Office of the President of the US
- All top 5 of the US Accounting firm (including PWC)
- Hundreds of universities and colleges



With the uptick in supply chain attacks and attacks on third party service providers, it's critical to maintain appropriate security controls on products and services offered. **Here are a few things to consider:**

- 1. Conduct regular security risk assessments.**
- 2. Ensure appropriate data security policies and procedures are in place.**
- 3. Use these great resources:**
 - ✓ NIST 800-53
 - ✓ CIS
 - ✓ COBIT
 - ✓ ISO27000
- 4. Conduct a SOC2 Type 2 Audit.**
- 5. Ensure you have appropriate Change Management controls in place for products and services.**
- 6. Conduct routine vulnerability scans to be sure systems are updated for regular and out of band security patches.**

Risk is an inherent part of business and will never be at zero. Maintaining open communication with your business partners and having controls in place will help reduce some of the risk. We all have a part to play; **security is everyone's responsibility.**

Timely Reporting of HIPAA Incidents



As a VIVA HEALTH business associate (BA), your organization has a contractual obligation to report any incident directly to VIVA HEALTH that results in a compromise of our members' protected health information (PHI) or personally identifiable information (PII).

Your Business Associate Agreement (BAA) with VIVA HEALTH generally requires this reporting to occur no later than five (5) business days of discovering any acquisition, access, use or disclosure of PHI that is not consistent with your agreement with VIVA HEALTH.

Since there is no way to predict when a HIPAA incident will occur, here are a few proactive steps to consider that may help ensure timely reporting, but may also help your organization be better prepared:

- 1. Know Your HIPAA Incident Reporting Obligations.** Review your BAA with VIVA HEALTH so you are certain of what incidents to report, the time-frame for reporting, and your obligations for mitigating the issue.
- 2. Form a Plan.** Entities with an effective HIPAA incident response plan are not only better prepared to take appropriate actions to reduce the risk of harm to those impacted by an incident, but the entities also lessen the stress for those involved in reporting or mitigating an incident
- 3. Test your plan.** Consider creating test scenarios (desktop exercises) to help you prepare for when an incident does occur. The worse time to figure out if your plan is effective or has weaknesses or loopholes is when an actual incident occurs.
- 4. Train your workforce.** Ensure your workforce knows how to identify a HIPAA incident, the expected time-frame for reporting incidents, and who to contact within your organization if employees need to report an incident or have questions or concerns.

In the event a HIPAA incident occurs that impacts a VIVA HEALTH member, please be sure to report the issue to your VIVA HEALTH contact promptly (not to exceed 5 business days). You may also reach out to VIVA HEALTH's Privacy Officer at temevans@uabmc.edu or 205-558-7544. You may not know all the details of the incident when making the initial report, but it is important to make us aware of the issue so we can work together to mitigate the issue.

Thank you for protecting our member's PHI/PII. Please reach out to your VIVA HEALTH contact if you have any questions about HIPAA incident reporting.

Your VIVA HEALTH Contacts

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