

**Calendar Year: 2013**

**Utilization Review Performance Rating of Investigation of a Claims Administrator**

**Investigation No:** URA-S04-13-R1

**Claims Administrator:** ESIS (An ACE Group Company)

**Location:** San Diego

**Utilization Review Management:** ESIS (An ACE Group Company); Medicall, Inc.

**Number of Requests for Authorization:**

|               |           |
|---------------|-----------|
| Prospective   | <u>43</u> |
| Concurrent    | <u>0</u>  |
| Retrospective | <u>0</u>  |

**Decisions by Type:**

|              |           |
|--------------|-----------|
| Approval     | <u>21</u> |
| Modification | <u>0</u>  |
| Delay        | <u>0</u>  |
| Denial       | <u>22</u> |

**1. FACTOR FOR UNTIMELY RESPONSE TO REQUEST**

|                                |          |                                       |           |                |
|--------------------------------|----------|---------------------------------------|-----------|----------------|
| # late prospective responses   | 4        | divide by # of prospective requests   | 43        |                |
| # late concurrent responses    | 0        | divide by # of concurrent requests    | 0         |                |
| # late retrospective responses | <u>0</u> | divide by # of retrospective requests | <u>0</u>  |                |
| Totals                         | 4        | divide by                             | Totals 43 | =              |
|                                |          |                                       |           | <b>0.09302</b> |

**2. FACTOR FOR FAULTY NOTICE CONTENT**

|                                  |          |                                       |           |                |
|----------------------------------|----------|---------------------------------------|-----------|----------------|
| # faulty prospective responses   | 0        | divide by # of prospective requests   | 43        |                |
| # faulty concurrent responses    | 0        | divide by # of concurrent requests    | 0         |                |
| # faulty retrospective responses | <u>0</u> | divide by # of retrospective requests | <u>0</u>  |                |
| Totals                           | 0        | divide by                             | Totals 43 | =              |
|                                  |          |                                       |           | <b>0.00000</b> |

**3. FACTOR FOR IMPROPER DISTRIBUTION OF NOTICE**

|  |          |                                       |           |                |
|--|----------|---------------------------------------|-----------|----------------|
| # prospective w/ improper distribution   | 0        | divide by # of prospective requests   | 43        |                |
| # concurrent w/ improper distribution    | 0        | divide by # of concurrent requests    | 0         |                |
| # retrospective w/ improper distribution | <u>0</u> | divide by # of retrospective requests | <u>0</u>  |                |
| Totals                                   | 0        |                                       | Totals 43 | =              |
|  |          |                                       |           | <b>0.00000</b> |

**UTILIZATION REVIEW PERFORMANCE RATING**

A Utilization Review Performance Rating of **0.85000** or greater is a passing score.

**96.9%**

**Analysis of Penalties and/or Violations Cited for Utilization Review Investigation**

**Investigation No.:** URA-S04-13-R1

**Claims Administrator:** ESIS (An ACE Group Company)

**Location:** San Diego

**Utilization Review Management:** ESIS (An ACE Group Company); Medically, Inc.

**Number of Utilization Review Requests for Authorization (requests) for Quarter:** 152

**Requests reviewed:** 43

**Complaints Reviewed:** 0

| Type of Violation   | Violation of Title 8, CCR §9792.12 | # of Violations | Total \$ Violations Identified | *\$ Not Subject to Assessment | Total \$ Subject to Assessment |
|---|------------------------------------|-----------------|--------------------------------|-------------------------------|--------------------------------|
| Failure to establish a utilization review plan.   | §9792.12 (a)(1)                    | 0               | \$0                            | \$0                           | \$0                            |
| Failure to maintain a UR plan conforming to all of the requirements of 8CCR§9792.7(a).                        | §9792.12 (a)(2)                    | 0               | \$0                            | \$0                           | \$0                            |
| Failure to file a UR plan or letter in lieu of UR plan with the Administrative Director.                      | §9792.12 (a)(3)                    | 0               | \$0                            | \$0                           | \$0                            |
| Failure to timely file any material modification of a UR plan with the Administrative Director.               | §9792.12 (a)(4)                    | 0               | \$0                            | \$0                           | \$0                            |
| Failure to employ or designate a physician as medical director of the UR process.                             | §9792.12 (a)(5)                    | 0               | \$0                            | \$0                           | \$0                            |
| Issuance of a decision to modify or delay a request which is not within the reviewer's scope of practice.     | §9792.12 (a)(6)                    | 0               | \$0                            | \$0                           | \$0                            |
| Modification, delay or denial of a request by a non-physician.  | §9792.12 (a)(7)                    | 0               | \$0                            | \$0                           | \$0                            |
| Approval of amended request by non-physician without written evidence for submission of amended request.      | §9792.12 (a)(8)                    | 0               | \$0                            | \$0                           | \$0                            |
| Failure to timely respond to an expedited request.  | §9792.12 (a)(9)                    | 0               | \$0                            | \$0                           | \$0                            |
| Denial of request solely because it is not addressed by MTUS/ACOEM.   | §9792.12 (a)(10)                   | 0               | \$0                            | \$0                           | \$0                            |
| Failure to document discussion for care plan for denial of concurrent request.                                | §9792.12 (a)(11)                   | 0               | \$0                            | \$0                           | \$0                            |
| No response to non-expedited concurrent request.  | §9792.12 (a)(12)                   | 0               | \$0                            | \$0                           | \$0                            |
| No response to non-expedited prospective request.   | §9792.12 (a)(13)                   | 0               | \$0                            | \$0                           | \$0                            |
| No response to a retrospective request.   | §9792.12 (a)(14)                   | 0               | \$0                            | \$0                           | \$0                            |
| Failure to disclose UR guidelines to the public.  | §9792.12 (a)(15)                   | 0               | \$0                            | \$0                           | \$0                            |
| Failure of URO or claims administrator to provide documentation of compliance pursuant to 8CCR§9792.11(v)(5). | §9792.12 (a)(16)                   | 0               | \$0                            | \$0                           | \$0                            |
| Failure to timely comply with any compliance requirement for the Final Report of UR Investigation.            | §9792.12 (a)(17)                   | 0               | \$0                            | \$0                           | \$0                            |

**Analysis of Penalties and/or Violations Cited for Utilization Review Investigation**

**Investigation No.:** URA-S04-13-R1

**Claims Administrator:** ESIS (An ACE Group Company)

**Location:** San Diego

**Utilization Review Management:** ESIS (An ACE Group Company); Medicall, Inc.

| Type of Violation   | Violation of Title 8, CCR §9792.12 | # of Violations | Total \$ Violations Identified | *\$ Not Subject to Assessment | Total \$ Subject to Assessment |
|---|------------------------------------|-----------------|--------------------------------|-------------------------------|--------------------------------|
| Failure to provide timely notice to all parties of need to extend decision date for request.  | §9792.12 (b)(4)(A)                 | 0               | \$0                            | \$0                           | \$0                            |
| Failure to document efforts to obtain information from requesting party prior to denying request.   | §9792.12 (b)(4)(B)                 | 0               | \$0                            | \$0                           | \$0                            |
| Failure to make and communicate a decision to approve, modify or deny a prospective/concurrent request within 5 days of receiving needed information. | §9792.12 (b)(4)(C)                 | 3               | \$300                          | \$300                         | \$0                            |
| Failure to issue timely retrospective decision within 30 days of receipt of requested information.  | §9792.12 (b)(4)(D)                 | 0               | \$0                            | \$0                           | \$0                            |
| Incomplete notice of modification, delay or denial.   | §9792.12 (b)(4)(E)                 | 0               | \$0                            | \$0                           | \$0                            |
| Failure to provide UR criteria/guidelines when requested by patient.  | §9792.12 (b)(4)(F)                 | 0               | \$0                            | \$0                           | \$0                            |
| Failure to make a timely request for additional information needed for decision for prospective/concurrent request.                                   | §9792.12 (b)(5)(A)                 | 0               | \$0                            | \$0                           | \$0                            |
| Failure to provide timely initial communication of approval for a prospective/concurrent request.   | §9792.12 (b)(5)(B)                 | 0               | \$0                            | \$0                           | \$0                            |
| Failure to provide timely notice to all parties of decision to modify, delay, or deny a prospective/concurrent request.                               | §9792.12 (b)(5)(C)                 | 1               | \$50                           | \$50                          | \$0                            |
| Failure to provide timely notice to all parties decision for a retrospective request.   | §9792.12 (b)(5)(D)                 | 0               | \$0                            | \$0                           | \$0                            |
| Failure to immediately notify the requesting party that decision cannot be made within timeframes.  | §9792.12 (b)(5)(E)                 | 0               | \$0                            | \$0                           | \$0                            |
| Failure to document need/basis to delay decision.   | §9792.12 (b)(5)(F)                 | 0               | \$0                            | \$0                           | \$0                            |
| Failure to provide in written notice the reason for delay in making a decision.   | §9792.12 (b)(5)(G)                 | 0               | \$0                            | \$0                           | \$0                            |
| Absent a time extension, failure to make a timely decision for a prospective/concurrent request.  | §9792.9 (b)(1)                     | 0               | N/A                            | N/A                           | \$0                            |
| Absent a time extension, failure to provide a timely written notice of decision for a prospective/concurrent request.                                 | §9792.9 (b)(3)                     | 0               | N/A                            | N/A                           | \$0                            |
| Absent a time extension, failure to provide initial notice for modification, delay or denial of a prospective/concurrent request.                     | §9792.9 (b)(4)                     | 1               | N/A                            | N/A                           | \$0                            |
| <b>TOTAL</b>  |                                    | <b>5</b>        | <b>\$350</b>                   | <b>\$350</b>                  | <b>\$0</b>                     |

\*Penalties for violations in 8 CCR § 9792.12(a) are mandatory and cannot be waived but may be mitigated depending on factors in § 9792.13. Penalties under § 9792.12(b)(4) and (b)(5) may be waived per § 9792.12(b)(2) and mitigated per § 9792.13.