

**ASAP VENDOR MONITORING POLICY CHECKLIST  
LARGE NON-HOMEMAKER PROVIDERS**

<b>Subject/Reference</b>	<b>Requirements</b>	<b>Status/Comments</b>
<b>Administrative</b>		
Prevention and Detection of Fraud, Waste, and Abuse (CMS, MassHealth requirement for organizations who receive >5m/year and their subcontractors)	<ul style="list-style-type: none"> <li>• Have policies and procedures;</li> <li>• Educate employees;</li> <li>• Whistleblower protections;</li> <li>• Notify ASAP of any instance</li> <li>• OIG LEIE checks (see below, Recruitment/Hiring section)</li> </ul>	
Personnel Policies (Commonwealth Terms and Conditions, Provider Agreement)	Including training, orientation, supervision and performance evaluation, work rules, employee benefits	
Conflict of Interest (Commonwealth Terms and Conditions for Human and Social Service Providers, Provider Agreement)	May not employ or compensate an employee of the ASAP or EOE	
Consumers as Research Subjects PI-03-17	Bars research, experimentation, surveys, market research, or similar research or experimentation that would affect any consumers of EOE without written permission.	
Confidentiality	HIPAA/Business Associates Agreement PI-97-55 EO 504 201 CMR 17.00	<ul style="list-style-type: none"> <li>• Some NHM providers are not covered entities</li> <li>• Must account for safety of info removed from office (e.g., consumer info for direct care staff)</li> </ul>
Quality Assurance (Provider Network QA Manual)	<ul style="list-style-type: none"> <li>• Quality Assurance Plan</li> <li>• Complaint procedures/log</li> </ul>	
<b>Non-discrimination</b>		
Non-discrimination in service delivery (Provider Agreement)	Providers must furnish services without regard to race, color, religion, national origin, disability, age, sex, sexual orientation, or status as a recipient of public assistance.	Providers do not need a policy for each of the requirements in this section. One global policy for non-discrimination in hiring and service delivery that references all protected classes in Massachusetts.
Title VI of the Civil Rights Act of 1964	Prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.	
Title II of the Civil Rights Act of 1964	Prohibits discrimination because of race, color, religion, or national origin	

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	in places of public accommodation.	
Section 503 of the Rehabilitation Act of 1973	Requires employers with federal contracts or subcontracts that exceed \$10,000, and contracts or subcontracts for indefinite quantities (unless the purchaser has reason to believe that the cost in any one year will not exceed \$10,000), to take affirmative steps to hire, retain, and promote qualified individuals with disabilities	
Section 504 of the Rehabilitation Act of 1973	No otherwise qualified individual with a disability, shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.	
Americans with Disabilities Act (ADA)	Guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, State and local government services, and telecommunications.	
MGL c. 151B § 4 subsections 1, 1A, and 1B	Prohibits discrimination in employment on the basis of race, color, religious creed, national origin, sex, gender identity, sexual orientation, genetic information, ancestry, age.)	
MGL c.151B § 4 subsection 10	Prohibits discrimination in service delivery for recipients of federal, state or local public assistance or housing subsidies.	
MGL c.149, § 24A	Prohibits employment discrimination towards any person over the age of forty.	
AIDS/HIV (Homemaker Standards, Section I; ADA; MGL c. 151B; MGL c. 111 § 70F)	<p>Policies must:</p> <ul style="list-style-type: none"> <li>• prohibit discrimination against persons with HIV/AIDS;</li> <li>• ensure information concerning HIV/AIDS status is not apparent or accessible, not released without specific written consent.</li> </ul>	
<b>Recruitment/Hiring</b>		
AA/EEO (Executive Order 526)	All programs, activities, and services provided, performed, licensed, chartered, funded, regulated, or contracted for by the state shall be	

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	<p>conducted without unlawful discrimination based on race, color, age, gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry, national origin, disability, veteran's status (including Vietnam-era veterans), or background. Equal opportunity and diversity shall be protected and affirmatively promoted in all state, state-assisted, and state-regulated programs, activities, and services.</p>	
<p>MassHealth All Provider Bulletin 196</p>	<ul style="list-style-type: none"> <li>• Screen all contractors, employees, and applicants using the Office of the Inspector General's List of Excluded Individuals and Entities (OIG LEIE) before hire and monthly thereafter.</li> <li>• Report discovered exclusions to the EOHHS Compliance Office</li> <li>• Develop auditable documentation of when these procedures are performed.</li> </ul>	
<p>CORI (EOEA PI-09-19)</p>	<p>All applicants must be CORI checked in accordance with the policies of EOHHS. CORI results must be kept in a separate file; employee records should contain proof of CORI check (not results).</p>	
<p><b>Service Provision</b></p>		
<p>Reportable Incidents (Provider Network QA Manual; Homemaker Standards)</p>	<p><u>Report immediately:</u></p> <ul style="list-style-type: none"> <li>• Elder abuse (Protective Services)</li> <li>• Absence from home</li> </ul> <p><u>Report to ASAP same day:</u></p> <ul style="list-style-type: none"> <li>• Hospitalization</li> <li>• Addition/loss of household member</li> <li>• Alleged theft</li> <li>• Alleged breakage of property</li> <li>• Injury to consumer/worker</li> <li>• Consumer complaint</li> </ul> <p><u>Report to ASAP w/in 24 hours:</u></p> <ul style="list-style-type: none"> <li>• New consumer address, name, telephone number</li> <li>• New MD</li> <li>• New diagnosis</li> </ul>	

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	<ul style="list-style-type: none"> <li>• Employee complaint</li> </ul>	
Service Coordinator Guidelines (Provider Network QA Manual)	<ul style="list-style-type: none"> <li>• Is professional and courteous</li> <li>• Is candid about service availability</li> <li>• Is flexible regarding special requests</li> <li>• Accepts or rejects cases by end of next business day (with the exception of cluster arrangements, where referrals are always accepted)</li> <li>• Initiates service promptly</li> <li>• Returns telephone calls as soon as possible – in no more than 1 business day</li> <li>• Returns written correspondence within designated time period to ASAP</li> <li>• Calls consumer each time employee cancels</li> <li>• Notifies ASAP of variations in service from written authorization</li> </ul>	<p>Policies for guidelines not strictly required. Orientation materials/policies should reflect these standards, and providers should know that ASAP staff grade providers in accordance with them.</p> <p>Standards may not apply to all types of NHM providers.</p>
Consumer Not at Home (Provider Network QA Manual)	<ul style="list-style-type: none"> <li>• Worker uses best efforts to gain access</li> <li>• Worker contacts coordinator by phone</li> <li>• Coordinator calls consumer, then emergency contact(s)</li> <li>• Coordinator calls care manager</li> </ul>	<p>May not apply to all types of NHM providers (e.g., Environmental Accessibility Adaptations).</p>
Emergencies in the home	<p>Policy must include:</p> <ul style="list-style-type: none"> <li>• Accessing emergency services</li> <li>• Contacting coordinator</li> <li>• Assisting consumer in the event of a fall</li> <li>• Assisting consumer in the event of fire, CO or smoke emergencies</li> <li>• Orienting staff to emergency procedures</li> </ul>	<p>May not apply to all types of NHM providers.</p>
Theft, loss, damage of consumer property	<p>Policy must include:</p> <ul style="list-style-type: none"> <li>• Report to ASAP immediately</li> <li>• Conduct internal investigation</li> <li>• Provide ASAP with written report</li> </ul>	
Prohibition on fees and gratuities (Provider Agreements; Conflict of Interest section)	<p>Employees are prohibited from accepting gifts or gratuities of more than token value, or cash of any value, from consumers or caregivers.</p>	