



Medicare General Compliance and Fraud, Waste and Abuse (FWA) Compliance Training Instructional Guideline MA Plans, PDP Sponsors and Provider Organizations

Summary

The Centers for Medicare and Medicaid Services (CMS) requires annual training in General Compliance and Fraud, Waste and Abuse (FWA). The training requirements apply to all entities (first tier, downstream or related entities) that provide either administrative services or health care or prescription drug services under contract with a Medicare Advantage (MA) or Prescription Drug Plan (PDP). (See 42 CFR 422.503 "Medicare Advantage Programs" and 42 CFR 423.504 "Voluntary Medicare Prescription Drug Benefit")

Effective February 2013, CMS integrated a CMS version of FWA and Compliance Training. CMS requires that Plans and First Tier, Downstream and Related (FDR) Entities all provide annual training. For Medicare Providers, annual training for FWA is deemed, however, for First tier, Downstream or Related (FDR) entities the training needs to consist of either each plan's FWA training or the training released by CMS as acceptable for all plans and FDRs.

In the past, ICE utilized the "ICE combined training tool for General Compliance and Fraud, Waste and Abuse training." The great news is we now have a combined FWA and Compliance training tool for 2013 from CMS. Therefore, effective February 2013, the ICE training has now been replaced with the CMS combined training tool.

CMS reviews random samples of various compliance elements as part of the health plan's overall compliance oversight. Since this includes reviews of the FDR's training, it is necessary that FDR's maintain evidence of completion of the training (for new employees and annually thereafter), as well as oversight of other FWA requirements such as the monthly review for FDR employees for OIG and GSA sanctions.

The CMS training document can be found in the ICE Contracting and Compliance sub-folder (in PDF format) or it can be accessed at the following CMS link, which is also available on the ICE Website.

<http://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/ProviderCompliance.html>

This training document can be used to train internal health plan staff, medical groups, vendors and other first tier, downstream and related entities.

ICE has revised its Background and Attestation document for 2013 and it includes additional background information regarding the training requirements and the supporting regulatory requirements. The Attestation document should be completed and maintained as a permanent record.