

UNIFORM MANAGED CARE MANUAL 4.6 MCO Materials Submission Process

DOCUMENT HISTORY LOG

STATUS ¹	DOCUMENT REVISION ²	EFFECTIVE DATE	DESCRIPTION ³
Baseline	2.0	February 15, 2015	<p>Initial version Uniform Managed Care Manual Chapter 4.6, "MCO Materials Submission Process."</p> <p>Chapter 4.6 applies to contracts issued as a result of HHSC RFP numbers 529-06-0293, 529-08-0001, 529-10-0020, 529-12-0002, 529-12-0003, 529-13-0042, and 529-13-0042.</p>
Revision	2.1	September 1, 2016	<p>Section I. "Applicability" is updated to include the STAR Kids Program.</p> <p>Section II. "Purpose" is modified for clarity.</p> <p>Section III. "General Instructions" is renamed "Material Submissions" and subsections "Materials that Require Submission for Approval" and "Materials that Do Not Require Submission for Approval" (previously III. I. and III. J.) are updated.</p> <p>Section IV. "Submission Guidelines" is added.</p> <p>Subsection IV. A. "Submissions to the HPM Communications Mailbox" (previously III. A. "Submission Instructions") is updated.</p> <p>Subsection IV. B. "Submissions to the Vendor Drug Program (VDP) MCO Solutions Mailbox" is added.</p> <p>Subsection IV. C. "Submissions to the MCO's HPM Team" is added.</p> <p>Previous subsections III. B. "Required Elements" and III. C. "Instructions for Completing Required Elements" are deleted and incorporated into new UMCM Chapters 4.6.1 "Medicaid Managed Care, CHIP, and DMO Marketing, Member, and Provider Materials Form Instructions" and 4.6.2 "Medicaid Managed Care, CHIP, and DMO Marketing, Member, and Provider Materials Form."</p> <p>Subsection IV. D. "Additional Submission Item Guidelines" is added.</p> <p>Subsections IV. D. 1. "Critical Elements," IV. D. 2 "Revision of Previously Approved Materials," IV. D. 3. "Reading Grade Level," IV. D. 4. "Templates," and IV. D. 5 "Content Only Submissions" (previously subsections III. D., III. E., III. F., III. H., and Section VIII. respectively) are modified.</p>

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			<p>Subsections III. G. "Notifications for Use of Previously-Approved Materials" and III. K. "File and Use" are deleted.</p> <p>Section IV. "MCO Responsibility for Accuracy," Section VI. "Post Approval Modifications," and Section VII. "Expedited Review and Approval Requests" are deleted.</p> <p>Section V. "Review and Approval Process and Timeframes" is modified to include information from deleted Sections IV., VI. and VII.</p> <p>Version 2.1 applies to contracts issued as a result of HHSC RFP numbers 529-08-0001, 529-10-0020, 529-12-0002, 529-12-0003, 529-13-0042, 529-13-0042, 529-13-0071, and 529-15-0001.</p>
Revision	2.2	May 24, 2019	<p>Added HPM Communication mailbox address to Section III. "Material Submissions".</p> <p>Revised Section A. "Materials that Require Submission for Approval" and Section B. "Materials that Do Not Require Submission for Approval" to identify the Provider Materials that require and do not require approval.</p> <p>Changed Section IV. A. "Submissions to the HPM Communications Mailbox Instructions" to "Submissions to the Data Management System" and revised the instructions for the new submission process to the Data Management System.</p> <p>Revised the items to be submitted to the VDP MCO Solutions mailbox in Section IV. B. "Submissions to the Vendor Drug Program (VDP) MCO Solutions Mailbox".</p> <p>Revised Section IV. C. "Submissions to the MCO's HPM Team" to "Submissions to the MCO's MCO Team" to reflect the area name change to the section title and within the section and to update submission location info.</p> <p>Added information to Section IV. D. 1. "Critical Element Submissions" for handbooks and manuals versus other critical element submissions.</p> <p>Updated Section IV. D. 5. "Content Only Submissions" to show approval to be provided via the Data Management System.</p> <p>Updated Section V. "Review and Approval Process and Timeframes" to add reference that Readiness</p>

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			Review materials are not subject to the approval timeframes.
Revision	2.2.1	October 15, 2019	Accessibility approved version.
Revision	2.3	September 1, 2024	Updated Section III. A. "Materials that Require Submission for Approval" to add that STAR+PLUS Provider trainings must be submitted for review and approval.

¹ Status should be represented as "Baseline" for initial issuances, "Revision" for changes to the Baseline version, and "Cancellation" for withdrawn versions

² Revisions should be numbered according to the version of the issuance and sequential numbering of the revision—e.g., "1.2" refers to the first version of the document and the second revision.

³ Brief description of the changes to the document made in the revision.

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I. Applicability of Chapter 4.6

This chapter applies to Managed Care Organizations (MCOs) participating in the CHIP, STAR, STAR+PLUS (including the Medicare-Medicaid Dual Demonstration), STAR Kids, and STAR Health Programs and Dental Contractors providing Children’s Medicaid Dental Services and CHIP Dental Services (Programs). The term “MCO” includes health maintenance organizations (HMOs), exclusive provider organizations (EPOs), insurers, Dental Contractors, Medicare-Medicaid Plans (MMPs) and any other entities licensed or approved by the Texas Department of Insurance. The requirements in this chapter apply to all Programs, except where noted.

This chapter applies to the MMPs where the Texas MMP Marketing Guidelines Addendum is silent such as the provider manual.

II. Purpose

The purpose of these procedures is to improve the administrative process for MCO submissions of Marketing Materials, Member Materials, Provider Materials, and press releases and to reduce the review and approval time.

III. Material Submissions

The MCO must submit Marketing Materials, Member Materials, Provider Materials, and press releases for HHSC review and approval prior to utilization as required below. HHSC does not have a file and use policy. For any Marketing Materials, Member Materials, or Provider Materials not specifically listed in Sections A or B below, the MCO must consult HHSC via the HPM Communications mailbox, HPM_Communications@hhsc.state.tx.us, to determine whether the materials need to be submitted to HHSC for review and approval.

A. Materials that Require Submission for Approval

The MCO must submit all Marketing Materials and Member Materials as defined in Attachment A of the Contract. Examples of materials that require review and approval include, but are not limited to, the following:

1. Marketing Materials such as flyers, event flyers, billboards, posters, print media, television or radio storyboards, television or radio scripts, television media, MCO website articles, and press releases intended to market to potential Members
2. Member Materials such as Member scripts, Provider directories, Member handbooks, Member ID cards, Member event notifications, Member newsletters, Member periodic surveys, and notices of Action
3. Pharmacy and drug related Member Materials
4. Information to be used on the MCO’s website or the internet

The MCO must submit for review and approval only the Provider Materials listed below:

1. UMCM Critical Element documents (i.e. Provider Manuals, Provider contract templates, etc.)
2. Provider communications implementing an MCO-initiated "across-the-board" rate reduction per the Provider Reimbursement section of the contract.
3. MCO Provider training for STAR Health, STAR Kids, and STAR+PLUS.

B. Materials that Do Not Require Submission for Approval

The MCO is not required to submit the following materials to HHSC for review and approval:

1. Materials used as a means of developing name recognition in which no direct or indirect reference is made to the Programs
2. Health-related materials in which no direct or indirect references are made to HHSC or the Programs
3. MCO subcontractor-developed materials, with the exception of Pharmacy Benefits Manager and third-party administrator (TPA) materials, as approval for these materials is delegated to the MCO

IV. Submission Guidelines

A. Submissions to the Data Management System

The Data Management System (DMS) serves as a centralized location for the submission of materials for review and approval by the Managed Care Compliance & Operations division (MCCO). The MCO must follow the instructions below for submissions to the DMS:

1. The MCO must submit the following items to the DMS:
 - a) Marketing Materials and Member Materials as defined in Attachment A of the Contract, including pharmacy and drug-related materials
 - b) Press releases as required by Section 3.07 "Publicity" of Attachment A, of the Contract
 - c) Provider Materials as identified in Section III A above
 - d) Provider manuals produced by STAR+PLUS Medicare Medicaid Plans (MMPs) MMP Member and Marketing Materials are to be submitted via the CMS HPMS Marketing Module as required per Section 2.15.2 of the MMP contract.
 - e) Readiness Review materials
2. The MCO must use the DMS for each submission and all correspondence with the MCCO reviewer during the review and approval process.
3. The MCO must include a unique form number in the bottom left-hand corner of the material. The form number must appear on the bottom left-hand corner on at least the first page of the material when published, distributed, or posted.
4. For press release submissions only, the MCO must enter, "Press Release," in the file name field of the DMS.

5. For Readiness Review materials, the MCO must include “RR” in the file name field of the DMS.
6. The MCO must complete all sections of the Medicaid Managed Care, CHIP, and DMO Marketing, Member, and Provider Materials form within the DMS with the required elements identified. The form can be referenced in UMCM Chapter 4.6.2 and its instructions in UMCM Chapter 4.6.1.

Upon successful submission to the DMS, the MCO will receive an automated email response confirming receipt. The MCCO reviewer will correspond with the MCO through the DMS during the review and approval process.

B. Submissions to the Vendor Drug Program MCO Solutions Mailbox

The Vendor Drug Program (VDP) MCO Solutions mailbox serves as a centralized location for the submission of the following items:

1. Formulary requests
2. Drug shortage notifications
3. Outpatient drug benefit policy questions
4. Clinical prior authorization proposal submissions and guidance regarding compliance for Providers
5. Clinical edits with the exception of those previously approved through VDP
6. Any communication that may affect proper use of the preferred drug list (PDL) or clinical prior authorization (PA) criteria:
 - a) **Example 1:** Communications promoting the use of non-PDL drugs, including communications regarding incentives to prescribe or dispense based on cost to plan rather than cost to State
 - b) **Example 2:** Any guidance related to compliance with clinical PA criteria when the MCO clinical PA criteria is different than what has been approved by the Drug Utilization Review Board

The MCO must submit materials containing the information above directly to the VDP MCO Solutions mailbox only, not the DMS, as these materials are not considered Marketing Materials, Member Materials, or Provider Materials.

The VDP MCO Solutions mailbox address is
VDP_MCO_Solutions@hpsc.state.tx.us.

C. Submissions to the MCCO Team

The MCO must submit materials containing information about the following items directly to its MCCO Team only, not the DMS, as these materials are not considered Marketing Materials, Member Materials, or Provider Materials:

1. New initiatives or process changes;
2. Operational policy and procedures;
3. Medical policy and procedures;
4. MCO website re-design; and

5. Deliverable or report submission notifications.

These materials are not subject to the approval timeframes described in this Chapter. For these materials, the MCO must contact its respective MCCO Team to discuss and address questions before submitting material regarding the above topics for review and approval via the DMS.

D. Additional Submission Item Guidelines

The MCO must follow the guidelines below, if applicable to its submissions.

1. Critical Element Submissions

Critical element material requirements are located in UMCM Chapter 3, "Critical Elements" and Chapter 8, "Provider". MCOs must follow the guidelines and timeframes for submission as outlined below for the identified critical element materials.

a) Handbooks and Manuals

Critical element handbooks and manuals must be revised to reflect changes and submitted to HHSC for approval prior to publication. The MCO must incorporate these revisions in one of two ways: (1) by creating a new, revised handbook or manual or (2) by including an insert or addendum with the existing stock, and then creating a new, revised handbook or manual.

If the MCO chooses to include an insert or addendum, the insert or addendum must be submitted to HHSC for review and approval within 30 Days of the effective date of the UMCM chapter. The submission must include the anticipated date of when existing handbook or manual stock will be depleted.

The revised handbook or manual must be submitted to HHSC to allow sufficient time for HHSC to review and approve prior to the MCO translation and printing. If the MCO is not developing an insert or addendum, the MCO must submit a revised handbook or manual within 30 Days of the effective date of the UMCM chapter.

The MCO must update its electronic handbook and manual by (1) making the insert or addendum available or (2) uploading the revised handbook or manual.

HHSC reserves the right to require a shorter implementation timeframe. However, HHSC will not extend the timeframe; therefore, the MCO must take their internal business processes into consideration in order to meet internal deadlines to determine when the revised handbook or manual should be submitted.

b) All Other Critical Element Submissions

The MCO must submit revisions within 30 Days of the effective date of the UMCM chapter for HHSC review and approval. In addition, the MCO must implement the

revisions within 30 Days from the HHSC approval date. The MCO has an additional 30 days to implement revisions that require system modifications.

HHSC reserves the right to require a shorter implementation timeframe. However, HHSC will not extend the timeframe; therefore, the MCO must take their internal business processes into consideration in order to meet internal deadlines to determine when the revised handbook or manual should be submitted.

c) Critical Elements Checklists

The MCO must submit the corresponding UMCM Critical Elements checklist, if applicable, with its request for review and approval of materials. The MCO should refer to UMCM Chapters 3 and 8 for further details. Examples include, but are not limited to, Notices of Action, Member Handbooks, Provider Manuals, and Provider Contract Templates. The Critical Elements checklist does not need to be submitted when only submitting an insert or addendum.

IMPORTANT: If the Critical Elements checklist is not included, the materials cannot be reviewed. HHSC will begin review only after complete submission of materials and checklists are received.

2. Revision of Previously Approved Materials

If the MCO submits previously approved materials as a result of new, revised, or updated information, the MCO should provide a copy of the corresponding approval form and a copy of the previously approved material to assist with the review timeframe and process. If the MCO does not have a copy of the approval form, the MCO must provide the approved material form number and date of approval.

The MCO must identify the new, revised, or updated sections in tracked changes, by highlighting applicable sections, or by another easily identifiable method.

In addition, the MCO must identify revisions and updates in tracked changes for all materials required per UMCM Chapter 3, "Critical Elements" and Chapter 8, "Provider."

3. Reading Grade Level

The 6th grade reading level is applicable to all Member Materials and Marketing Materials and must be provided at the time of submission. MSCO may request that the MCO submit a screen shot of the readability statistics including a list of words excluded from the Reading Grade Level (RGL). The readability screen shot should not cover or obscure the document.

The MCO must refer to the HHS Consumer Information Toolkit for the development of materials and for assistance with meeting RGL requirements.

The MCO may exclude the following words from the RGL:

- a. HHSC provided language (including UMCM Chapter 3 required language)
- b. Legal terminology
- c. Medical terminology
- d. Numbers (telephone, fax, and hours of operation)
- e. Addresses and web addresses
- f. Medicaid and CHIP references
- g. Program and MCO names
- h. Proper Names
- i. Acronyms
- j. Dates

4. Templates

The MCO may submit materials that will be utilized as templates in which information such as dates, times, or articles will be interchangeable, for example, a newsletter or MCO event flyer template. The MCO must submit the final version of its template with identifiable placeholders for sections with interchangeable information.

5. Content Only Submissions

HHSC does not provide an approval form for content only submissions. However, the MCO may submit in a Word document the content it intends to utilize on its final version. HHSC will review the content and provide a content only approval via the DMS. The approval form will not be provided until the final version is submitted. If revisions are made after content approval was issued, the MCO must identify the changes which will result in further review.

V. Review and Approval Process and Timeframes

The materials submitted are subject to the approval timeframes described in this section unless the materials submitted are for Readiness Review or identified within this Chapter as not subject to the approval timeframes. HHSC will respond to the MCO within 15 Business Days for all MCO submissions except for the submissions indicated below. The timeline for the review period will begin on the Business Day after submission. If HHSC requests revisions during its review of the materials, the 15 Business Day timeline resets with each response received by HHSC.

1. HHSC will respond within 30 Days for MCO submissions pursuant to UMCM Chapter 3, "Critical Elements" and Chapter 8, "Provider."
2. HHSC will respond by the close of business on the 7th Day for MCO press release submissions in accordance with Attachment A of the Contracts.

HHSC does not have an expedited review and approval process. The MCO must ensure that materials are submitted to allow adequate time for review and updates as needed. Requests for expedited review may not be considered unless the material is related to an HHSC mandate. While there are instances where expedited approval

may be warranted, it should not be the MCO's expectation that HHSC will honor requests received. Any MCO with repeated requests to expedite will receive a courtesy reminder from HHSC.

HHSC will notify the MCO of the approval of the materials or of any required changes. An HHSC approval does not:

1. confirm accuracy or provide verification of technical, procedural, or related references such as billing or diagnosis codes, hyperlinks, or contact numbers. The MCO is responsible for ensuring accuracy of such references before submission. If the MCO provides inaccurate or false information, HHSC may require that the MCO send a revised corrected communication which must include a statement of reference to the inaccurate communication.
2. extend to modifications, changes, or revisions post issuance of approval.

If a response from HHSC is not received within the specified timeframes, the materials may be deemed approved. The MCO may move forward with use and distribution of the materials provided that the MCO notifies HHSC of its intent to deem the materials approved.

If HHSC requests revisions to materials submitted before issuance of an approval form and the MCO does not respond within 30 Days, HHSC will consider the materials withdrawn and will close the review. The MCO may resubmit revised materials as a new submission.

HHSC reserves the right to require discontinuation, revision, or correction of any materials, including those previously approved by HHSC.