

Health Equity and Quality

Frequently Asked Questions

The purpose of this Frequently Asked Questions (FAQ) document is to clarify the Health Equity and Quality (HEQ) program policies and requirements set forth by the Department of Managed Health Care (DMHC) in All Plan Letter (APL) 24-013 (which supersedes previously published APL 22-028 (dated 12/21/2022) and Revised APL 23-029 (dated 5/13/2024)). The responses to these FAQs are intended to supplement the guidance contained in APL 24-013.¹ As the DMHC receives additional questions, these FAQs will be updated, and the footer will indicate the version number and issue date.

As required by Assembly Bill (AB) 133 (Committee on Budget, 2021) (Health and Safety Code (HSC) section 1399.870 et seq.), the DMHC has established a health equity and quality measure set (HEQMS) and a benchmark standard for all DMHC-licensed health care service plans (health plans). Starting with measurement year (MY) 2023, health plans will collect and report on 12 Healthcare Effectiveness Data and Information Set (HEDIS[®]) measures and one Consumer Assessment of Healthcare Providers and Systems (CAHPS[®]) measure, stratified by race and ethnicity according to the National Committee for Quality Assurance (NCQA) methodology.^{2, 3} The DMHC will use the HEQMS to evaluate health plan performance against the benchmark, with the goals of addressing long-standing health inequities and ensuring the equitable delivery of high-quality health care services across market segments. Health plans must comply with AB 133 as implemented by APL 24-013 (which supersedes APL 22-028 and Revised APL 23-029) and future DMHC guidance, consistent with applicable law, including HSC section 1399.870 et seq.

The information provided in these FAQs is not intended to be legal advice; it is general information only. Readers of these FAQs should contact their own attorney to obtain advice on any legal matter related to these FAQs.

¹ This HEQ FAQ document is supported by APL 24-013 as it incorporates and supersedes any guidance provided in DMHC's previously published APL 22-028 (dated 12/21/2022) and Revised APL 23-029 (dated 5/13/2024). All FAQs referencing either of the prior APLs have been updated to reference APL 24-013.

² HEDIS[®] is a registered trademark of the National Committee for Quality Assurance (NCQA).

³ CAHPS[®] is a registered trademark of the Agency for Healthcare Research and Quality (AHRQ).

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GENERAL

1. When will the HEQMS be reevaluated?

Pursuant to HSC section 1399.871, standard measures and benchmarks shall sunset at most every five years from the date the Department establishes them. At least one year before the standard measures and benchmarks sunset, the Department shall conduct a public assessment to determine if the measures and benchmarks are improving quality and equity, and if they should be continued. Accordingly, the current HEQMS will be effective MY 2023 and through at least MY 2027. Within that five-year period, the Department will reevaluate the effectiveness of those measures and benchmarks.

In addition to the above sunset provision, the Department may reconvene the Committee to make recommendations on updating and revising the standard measures and benchmarks, pursuant to HSC section 1399.870.

2. Does the DMHC have a definition of “full-service health plans”? Which health plans must comply with the DMHC health equity and quality requirements?

Full-service health plans provide all the basic health care services and mandated benefit requirements under the Knox-Keene Health Care Service Plan Act, including the coverage of hospital, medical, or surgical expenses (see California Code of Regulations, Title 28, section 1300.51, et seq.). For more information regarding the applicability of DMHC’s health equity and quality requirements, refer to HSC section 1399.873.

HEQMS REPORTING

3. Will the DMHC require the health plans to report their audited rates (rather than having DMHC contract with an independent auditor)?

Yes. The DMHC will require the health plans to report their audited rates.

4. Will health plans have flexibility on how to report hybrid measures?

Health plans may report to the NCQA using either the Administrative or Hybrid Data Collection Methods (Traditional Methods), unless reporting via the Electronic Clinical Data System (ECDS) is required by the NCQA or the DMHC for a specific measure. If a measure may be reported using both Traditional (Administrative or Hybrid) and ECDS, health plans must report using both available methods.

Please refer to APL 24-013 for additional information on reporting methods.

5. Please confirm that the DMHC will follow NCQA HEDIS and CAHPS specifications for reporting on the quality measures and data reporting methodology.

Yes. The DMHC can confirm that it will follow NCQA's HEDIS and CAHPS specifications and will not make any adjustments.

6. NCQA requires health plans to stratify by race and ethnicity for only nine of the 13 measures. Is NCQA approval required for stratifying the four additional selected measures?

No. NCQA approval is not required for stratifying additional measures. The stratifications are part of the HEDIS Allowable Adjustments.⁴ The only requirement is that they be run through a certified vendor's logic and the certified vendor then puts the appropriate disclaimers on the rate (i.e., adjusted, unaudited HEDIS rate).

Additionally, the NCQA was a member of the Health Equity and Quality Committee and is aware of the DMHC's decision to require stratification by race and ethnicity for additional measures.

See APL 24-013 for stratification reporting requirements. The DMHC will provide additional guidance in the future on the measures not stratified by NCQA.

7. Do the HEQMS reporting requirements apply to all health plans regardless of membership size?

All health plans, as specified in APL 24-013, are subject to reporting requirements regardless of membership size.⁵ Health plans must follow the NCQA's HEDIS and CAHPS reporting processes for all measures required by the DMHC. If a measure is required by the DMHC, it should still be reported to the NCQA. For further information regarding the NCQA reporting requirements for small populations, health plans can explore the NCQA resources, contact the NCQA, and/or work with their HEDIS Compliance Auditor to resolve questions.

⁴ The Rules for Allowable Adjustments are included in the HEDIS Volume 2 publication after the applicable HEDIS measure specifications.

⁵ Currently, the NCQA allows health plans with less than 15,000 members to be scored on standards only for accreditation purposes, without reporting on HEDIS or CAHPS Survey data. However, the NCQA has no minimum population size for HEDIS reporting and health plans with fewer than 15,000 members will still be required to submit HEDIS and CAHPS Health Plan Survey results to the DMHC. Health plans with low enrollment may request an exemption by following the instructions in APL 24-013.

8. If a health plan is not currently accredited with the NCQA and has not previously reported HEDIS data, is the health plan allowed to report on the HEQMS using any data collection method?

There is no distinction in reporting methodology for NCQA accredited health plans versus non-accredited health plans. Please refer to APL 24-013 for more information on reporting HEQMS data to the DMHC.

9. Are health plans required to report via both traditional and ECDS methods for the HEQMS measures that list both (i.e., COL/COL-E, CIS/CIS-E, and IMA/IMA-E), even if only one or the other is required by the NCQA or by the Department of Health Care Services (DHCS)? Will the NCQA-licensed HEDIS Compliance Auditor allow reporting by multiple methodologies?

For the DMHC HEQMS measures that can be reported through both the Traditional Methods and ECDS, APL 24-013 instructs health plans to report using both methodologies. For example, the Colorectal Cancer Screening measure can be reported both through traditional methods and ECDS, which is clarified in the Abbreviation column of Table 1: COL/COL-E. The NCQA's data reporting process supports the reporting of both methods where both are specified by APL 24-013. The NCQA-licensed HEDIS Compliance Auditors will allow reporting by both Traditional and ECDS methodologies.

10. Do subcontracted health plans have HEQ reporting requirements to the DMHC?

No. Subcontracted health plans that only have delegated enrollees (i.e., they have no direct enrollment of their own) do not have any HEQ reporting requirements to the DMHC. However, subcontracted health plans must coordinate with the contracted primary health plan responsible for any delegated enrollees to determine what reporting obligations they may have to the primary health plan.

When a primary health plan delegates its enrollees to a subcontracted health plan (e.g., a restricted health plan), the primary health plan remains responsible for reporting on the HEQMS for all of its enrollees, including those enrollees delegated to the subcontracted health plan.

11. What if some of the HEQMS measures (such as Well-Child Visits in the First 30 Months of Life, Child and Adolescent Well-Care Visits, Depression Screening and Follow-Up), are not within the scope of a health plan's NCQA HEDIS audit?

Health plans must report to the DMHC on all HEQMS measures as outlined in APL 24-013. All HEDIS measures in the HEQMS are subject to HEDIS audit and other NCQA reporting requirements. Health plans are encouraged to reach out to their HEDIS Compliance Audit Licensed Organization to confirm that the scope of their HEDIS audit includes all HEQMS measures. For questions regarding data submissions to the

NCQA, the DMHC recommends health plans contact their NCQA account manager for further assistance.

12. For the NCQA's Health Plan Accreditation, the NCQA allows health plans with membership under 15,000 enrollees the option to be scored on the standards only, meaning submission of the CAHPS Health Plan Survey results is optional. Is a health plan with a membership under 15,000 required to submit the CAHPS Health Plan Survey results to the DMHC if it chooses not to report the CAHPS Health Plan Survey to the NCQA?

Yes. Health plans must submit CAHPS Health Plan Survey results to the DMHC regardless of enrollment size or whether they are submitting this data to the NCQA for accreditation. Health plans must follow NCQA's CAHPS reporting process. When health plans submit their CAHPS data to the NCQA, they will have access to their CAHPS Health Plan Survey results through the NCQA's Interactive Data Submission System (IDSS). However, health plans with low enrollment may request an exemption by following the instructions in APL 24-013.

13. Is the HEQMS subject to External Quality Review Organization (EQRO) oversight?

The DMHC's HEQMS is not subject to federal Medicaid external quality review regulations, and the DMHC will not require health plans to engage a separate or additional EQRO.

14. Are county behavioral health plans required to report on the HEQMS to the DMHC?

No, county behavioral health plans that provide specialty mental health services in the Medi-Cal program are not required to obtain a Knox-Keene license or report on the HEQMS to the DMHC.

For requirements pertaining to Knox-Keene licensed behavioral health plans, please refer to APL 24-013.

15. Are behavioral health plans with direct enrollment required to submit the HEQ Pre-Filing Form and the Health Plan Demographic Data Metric (HPDDM) even though there is currently no HEQMS reporting requirement for behavioral health plans?

Yes. Behavioral health plans with direct enrollment must submit both the HEQ Pre-Filing form and the HPDDM.

16. Is the CAHPS Health Plan Survey reporting submitted at the plan level or by geographic region?

The CAHPS Health Plan Survey reporting is submitted at the health plan level.

17. For race or ethnicity data collection, some members choose "decline to state." How does a health plan categorize these members?

Per APL 24-013, the DMHC has adopted the NCQA health equity methodology, which uses the Office of Management and Budget standards for stratification. Per the NCQA, if a member declines to disclose their race or ethnicity, the member should be reported as "Asked, not answered/Declined to state." For more information on the NCQA's health equity methodology, the DMHC recommends health plans contact the NCQA.

NCQA ACCREDITATION

18. Are health plans required to report data to the DMHC even if they are not currently accredited by NCQA?

Yes. Health plan HEQ reporting requirements are distinct and separate from health plan accreditation requirements. Health plans are required to report data to the DMHC pursuant to APL 24-013 regardless of their NCQA accreditation status.

19. Will health plans be required to obtain NCQA Health Equity Accreditation, per the recommendation from the Health Equity and Quality Committee?

Currently, health plans are not required to obtain NCQA's Health Equity Accreditation; however, the DMHC strongly encourages it.

20. Do health plans need to monitor the NCQA accreditation status of their subcontracted health plans? What happens if the delegated entity does not obtain NCQA accreditation?

Yes, as with all delegation relationships, a health plan that delegates any services or functions to another health plan or any other contracting entity remains responsible for complying with the Knox-Keene Act. All health plans, including behavioral health plans, restricted, and limited licensed health plans, that have been delegated to deliver hospital, medical, or surgical services or behavioral health services, or both, are required to be accredited on or before January 1, 2026. (HSC section 1399.872(d)). The obligation of a health plan to comply with this article is not waived if a health plan delegates any services or functions to its medical groups, independent practice associations, or other contracting entities. (HSC section 1399.873(b)). Thus, any health plan that delegates such services must appropriately oversee and monitor that subcontracted health plan as it would with any other Knox-Keene Act provision and ensure compliance.

21. Is there a membership threshold for health plans as it relates to NCQA accreditation? For instance, if a health plan has a small number of members, are they required to be accredited?

HSC section 1399.871(d)(1) requires health plans to obtain and maintain NCQA accreditation by January 1, 2026.⁶ As stated in APL 24-013, the accreditation requirement applies to all applicable health plans, and their subcontracted health plans. However, health plans with low enrollment may request an exemption by following the instructions in APL 24-013.

22. Are restricted health plans that subcontract to deliver hospital, medical, or surgical and/or behavioral health services for only Medicare Advantage enrollees required to seek NCQA accreditation?

As stated in APL 24-013, the DMHC health equity and quality reporting and accreditation requirements do not apply to health plans that only offer Medicare Advantage products; thus, if a subcontracted health plan only provides services to Medicare Advantage enrollees, the requirements would not be applicable. If a subcontracted health plan provides services for Commercial or Exchange product lines, in addition to Medicare Advantage products, then the subcontracted health plan would be responsible for obtaining NCQA accreditation for those product lines, pursuant to the health equity and quality requirements in HSC 1399.870 et seq.

23. What are accreditation requirements for a restricted health plan that does not perform any delegated function and further delegates those functions to a medical group/Management Services Organization (MSO)?

For any health plan that is subcontracted to deliver hospital, medical, or surgical services and/or behavioral health care services to enrollees of Commercial or Exchange product line(s), the subcontracted health plan remains responsible for seeking NCQA accreditation by January 1, 2026.

Pursuant to APL 24-013, the NCQA offers accreditation in certain program areas that may be delegated to a subcontracted health plan. The DMHC recommends that health plans contact the NCQA directly to confirm available accreditation options and for questions related to the applicable accreditation processes and products.

Notably, a subcontracted health plan that further subdelegates to another entity does not waive its obligations under HSC section 1399.870 et seq. to obtain NCQA accreditation, pursuant to section 1399.873(b). Plans can contact the DMHC at HEQ@dmhc.ca.gov if they have accreditation questions.

⁶ Pursuant to HSC section 1399.871(d)(2), the HEQ accreditation requirement does not apply to plans that only offer Medi-Cal products.

MEDICAID

24. Does the DMHC plan to make an adjustment to the benchmark for Medi-Cal health plans due to redeterminations?

No. At this time, the DMHC does not plan to make any adjustments for Medi-Cal health plans due to redeterminations.

25. If a health plan is not fielding a CAHPS Health Plan Survey to meet NCQA accreditation requirements, can the health plan submit its DHCS-fielded CAHPS Health Plan Survey results to the DMHC?

For Medicaid managed care health plans, DHCS contracts with an external quality review organization (EQRO) to administer and report the results of the CAHPS Health Plan Survey. The EQRO reports the CAHPS data to the NCQA. Health plans will have access to their CAHPS Health Plan Survey results through the NCQA's IDSS. Health plans must then submit the CAHPS Health Plan Survey results directly to the DMHC.

26. Are county run Medicaid health plans without a Knox-Keene license required to report the 13 HEQMS measures?

No. County run Medicaid health plans without a Knox-Keene license are not required to report. See APL 24-013 for details on the HEQMS measure reporting requirements per product line.

REGULATIONS

27. What does DMHC intend to include in regulations?

The regulations will capture at least the 13 HEQMS measures, benchmark standards, and CAP requirements. The DMHC will track and consider including additional items in the regulations necessary to implement the HEQ program. Regulations will need to be in place by January 1, 2027.