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The New England Joint Enterprise (NEJE) Blue MedicareRx (PDP) NEJE Compliance & FDR Oversight Committee Charter

Overview: Throughout this document, the New England Joint Enterprise shall be referred to collectively as the NEJE. The member plans comprising the NEJE will be known as NEJE Partner Plans.

The NEJE Compliance & First Tier, Downstream, and Related Entities (FDR) Oversight Committee (the “Committee”) oversees the Medicare Compliance Program and consists of Compliance Officers, Executive Sponsors, NEJE Compliance Leads, NEJE Core Team and NEJE Fraud Waste & Abuse (FWA) Team members representing each of the NEJE Partner Plans in the New England Joint Enterprise (NEJE), as well as Support Team Leads from Pharmacy, Operations, and Product Management. The Blue Cross Blue Shield of Massachusetts (BCBSMA) Pharmacy Operations Senior Director is also part of the committee.

The Compliance Officer of each respective NEJE Partner Plan also has the sole discretion and express authority to make in-person reports of any compliance concerns to their respective CEO and Board of Directors at any time if warranted.

COMMITTEE GOAL/MISSION: The Committee endeavors to ensure that the requirements of the Centers for Medicare and Medicaid Services (CMS) and the recommendations of the Office of Inspector General (OIG) are implemented and areas of deficiencies are addressed appropriately and timely

COMMITTEE PURPOSE: The Committee’s purpose is to monitor NEJE compliance program activities, including the oversight of FDRs in fulfilling Medicare compliance requirements and the FWA program for NEJE. The Committee reviews detected violations, corrective action plans (CAPs), and compliance policies and procedures. The Committee also reviews dashboards and other reports, escalated issues, risk assessments, workplans, auditing and monitoring results and other relevant information.

EXECUTIVE SPONSOR: Krista Bowers, Senior Vice President, Government Programs

CHAIR(s): Christina Sullivan, BCBSMA, Director, Medicare Compliance

MEMBERSHIP: The Committee consists of each Partner Plan’s Medicare and/or Corporate Compliance Officer, NEJE Executive Board representative and Core Team representative. A current list of members is available in Appendix A.

Membership will be reviewed and updated no less than annually by the Committee Chairs.

MEETINGS: BCBSMA’s Medicare Compliance Director, also acting as the Medicare Compliance Officer, is the Committee’s Chair. The Committee shall convene via webinar at least four times a year or more frequently, if necessary. The BCBSMA Compliance Team will distribute a monthly dashboard to each of the NEJE Partner Plans to assist each Compliance Officer in reporting the activities of the NEJE Compliance & FDR Oversight Committee within his or her respective plan, including, as appropriate, reports to the Partner Plan leadership.

The frequency of the meetings will be reviewed on a yearly basis. Committee members are expected to attend all meetings but may be represented by an appropriate replacement in their absence.

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Responsibilities: The Committee shall provide leadership on NEJE Medicare Compliance related matters to the NEJE Partner Plans and shall ensure roles and responsibilities associated with Medicare Compliance are understood and communicated throughout the NEJE Partner Plans. It shall provide guidance to the Medicare Compliance Officer, NEJE Compliance Team and associates and is charged with the following responsibilities:

- Annually review and approve the Committee Charter, NEJE Medicare Compliance Program, NEJE Compliance Team core policies and procedures, risk assessment, and work plan. Ensure that updates address changes to applicable laws, regulations and other program requirements.
- Discuss implementation and promotion of the NEJE Medicare Compliance Program and Compliance Policies.
- Receive and review regular and ad hoc reports of monitoring and auditing results where the NEJE may be at risk for program noncompliance or fraud, waste, or abuse via reports such as the monthly Compliance Dashboard, escalated issue reports, and other evaluations. Review of detected violations, root cause and impact analyses and corrective action plans.
- Review monthly reports from each NEJE Partner Plan that identify issues identified by the NEJE Partner Plan related to their own internal compliance activities that relate to the NEJE program.
- Develop strategies to promote compliance and the detection and communication of potential violations.
- Ensure the NEJE Plan has a method for members to report potential instances of fraud, waste or abuse confidentially or anonymously (if desired) without fear of retaliation in accordance with the CMS requirements for compliance and FWA.
- Discuss FDR oversight and updates to ensure compliance with CMS Medicare-related contractual requirements and the FWA program.
- Ensure each NEJE Partner Plan:
 - Conducts pre-hire/pre-contracting and monthly OIG/GSA screening for all associates and first tier entities who support the NEJE.
 - Completes compliance and FWA training within 90 days of hire and annually thereafter for all associates and first tier entities who support the NEJE.
 - Ensures all associates and FDRs are aware of how to ask compliance questions and report potential instances of non-compliance or fraud, waste or abuse confidentially or anonymously (if desired) without fear of retaliation in accordance with the CMS requirements for compliance and FWA.
- Monitor staffing levels and other resources devoted to the NEJE Compliance Program.
- Discuss current processes for the NEJE Partner Plan management to maintain a culture of compliance and set an appropriate “tone at the top” by communicating the importance of each Partner Plan’s ethical and business practice standards set forth in each organization’s Code/Standards of Business Conduct.

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EXPECTED OUTCOMES: Within each respective NEJE Partner Plan, the Compliance Officer informs their senior leaders, Chief Executive Officer (CEO), and Board of Directors, or a committee thereof, in fulfilling its oversight responsibility with respect to compliance and FWA that affect the NEJE Medicare Part D Contract.

REPORTING STRUCTURE OF COMMITTEE: Information discussed in the NEJE Compliance & FDR Oversight Committee is communicated by the Partner Plan Compliance Officer or Compliance staff to their respective Partner Plan Compliance committees, Senior Leadership, CEO and/or Partner Plan President, and/or Board. Through this mechanism, there is reporting and accountability to each Partner Plan's chief executive or other senior management and their Board of Directors.

CONFIDENTIALITY: In conducting its business, the NEJE Compliance & FDR Oversight Committee will take special care, consistent with the NEJE Partner Plans' Standards of Ethics/Code of Conduct to protect the confidentiality of sensitive information it receives.

CONFLICTS OF INTEREST: NEJE Compliance & FDR Oversight Committee members will promptly disclose any conflict of interest they may have with respect to any matter to be discussed by the Committee.

POLICIES: The Committee members are responsible for reviewing and approving the following policies:

- 2025 New England Joint Enterprise (NEJE) Medicare Part D Compliance Plan
- NEJE COMPL 100.3 NEJE Compliance Program Development and Maintenance of P&Ps
- NEJE COMPL 100.4 NEJE Coordination of Attestations to be submitted to CMS
- NEJE COMPL 100.5 Part D CMS Reporting and Data Validation
- NEJE COMPL 100.6 Agent Broker Marketing Misrepresentation
- NEJE COMPL 100.9 NEJE HPMS Fiscal Soundness Reporting
- NEJE COMPL 100.10 NEJE Compliance Program Non-Compliance Identification, Investigation, and Corrective Action Procedure
- NEJE COMPL 100.12 NEJE Compliance Monitoring, Auditing and Risk Assessment Process

ANNUAL REVIEW: The Committee Charter will be reviewed and updated annually, and when significant changes occur such as leadership changes, changes in focus to respond to revised corporate priorities, changes in reporting, changes in decision making authority and/or structure, and/or responding to external changes such as regulatory updates.

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REVISION HISTORY:

Version	Date	Revision Summary
1	05/14/12	<ul style="list-style-type: none"> New
2	10/24/13	<ul style="list-style-type: none"> Committee name NEJE Compliance Committee to NEJE Compliance and FDR Oversight Committee. Enhanced clarification and added frequency to training within 90 days of hire. Enhanced definition of compliance roles and responsibilities. NOTE: Due to the CMS Audit of NEJE in May-June 2013, the annual review and approval of this document was deferred.
3	10/24/14	<ul style="list-style-type: none"> Differentiated core P&Ps; added monthly frequency to dashboard
4	04/18/16	<ul style="list-style-type: none"> Annual review of this P&P in 2015Q4 was deferred due to the mock Compliance Program Effectiveness audit. Enhanced definition of reporting to the Board and CEO; added language around root cause analysis and OIG/GSA screening.
5	04/05/17	<ul style="list-style-type: none"> No major changes. Spelled out acronyms.
6	04/09/18	<ul style="list-style-type: none"> Ensure responsibilities are in alignment with CMS Chapter 9. Changed reference to BCBS Partner Plan to NEJE Partner Plans
7	04/01/19	<ul style="list-style-type: none"> Minor grammatical changes
8	01/06/20	<ul style="list-style-type: none"> Minor grammatical changes Added duty to review the quarterly report that we have just implemented for States to report internally identified compliance issues that impact NEJE
9	12/17/20	<ul style="list-style-type: none"> Minor grammatical changes
10	12/01/21	<ul style="list-style-type: none"> Updated NEJE Partner Plan reports from quarterly to monthly; changed meeting from telephonically to webinar
11	12/02/22	<ul style="list-style-type: none"> No major changes, spelled out acronyms
12	11/30/23	<ul style="list-style-type: none"> Minor grammatical changes
13	12/06/24	<ul style="list-style-type: none"> Minor grammatical changes

DOCUMENT OWNER:

Name	Organization
Christina Sullivan	BCBSMA Medicare Compliance

REVIEWERS:

The BCBSMA Medicare Compliance team completes the initial review of the charter. Final review and approval is required by each member of the NEJE Compliance & FDR Oversight Compliance Committee.