

Standard Operating Procedure for the management of Prior Approval Funding Requests

January 2016

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1.0 Introduction

- 1.1 This document sets out the principles and process for managing Prior Approval applications. Prior Approval applications are required for procedures listed as Criteria Based Access with Prior Approval (CBA+PA) on the Effective Clinical Commissioning Policies list.
- 1.2 The ICB's Prior Approval (PA) process applies to treatments that are considered appropriate in certain circumstances, but where funding is granted on an individual case by case basis when the ICB is assured that specific pre-determined and evidence based access criteria have been met.
- 1.3 The PA process should not be confused with ICB's Individual Funding Request (IFR) process which deals with requests for individuals who are 'exceptional' (i.e. there is something about the patient's condition or circumstances that differentiate them on the basis of need from other patients with a similar diagnosis or condition and would justify funding being provided in an individual case when it is not routinely funded for others).
- 1.4 This Standard Operating Procedure sets out the PA process in detail and will be followed for each PA application received by the ICB.

2.0 Managing Prior Approval Applications: The Prior Approval Process

- 2.0.1 This section sets out the process for managing PA funding applications. It should be read in conjunction with the Effective Clinical Commissioning Policies list and the IFR Policy. The process is set out in flow chart form at the end of the document.

2.1 Submitting a Prior Approval Application

- 2.1.1 The managing clinician should consult the ICB's commissioning policies as set out in the Effective Clinical Commissioning Policies (ECCP) list to see if the procedure is covered by a CBA+PA policy. The ECCP list identifies all procedures that require ICB approval prior to treatment, and provides details of the criteria that the patient will need to meet in order for PA to be granted by the ICB.
- 2.1.2 If the proposed treatment is covered by a CBA+PA policy, and the clinician believes that the patient demonstrably meets the access criteria, the clinician must submit a PA funding application in consultation with the patient. Applications will only be accepted from clinicians or other health care professionals involved in the care of the patient. The patient should not proceed for treatment until funding has been granted.
- 2.1.3 The managing clinician must inform the patient that the proposed treatment is subject to prior funding approval, and that their information will be shared with the ICB to support the application process.
- 2.1.4 Prior Approval applications must be submitted on the appropriate PA application form and should be submitted electronically to the email address indicated on the form.

- 2.1.5 The PA application form requires the requesting clinician to confirm which of the published access criteria the patient meets (in the form of a checklist) and for them to supply evidence to support the assessment.
- 2.1.6 It is the responsibility of the requesting clinician to ensure that the application form is completed accurately and that sufficient information is provided to support the application.

2.2 Administration

- 2.2.1 On receipt of a PA application key information about the application, including the date of receipt, patient information, requesting clinician and treatment requested, is entered onto the ICB IFR database by the Prior Approval coordinator.
- 2.2.2 For each request received, a unique case file number will be generated. All decisions will be fully documented and all communications from the IFR team will be confirmed by email or letter.
- 2.2.3 Records will be retained and processed in accordance with appropriate NHS policies regarding confidentiality and retention and disposal of records.

2.3 Timescales for managing a Prior Approval application

- 2.3.1 The standard response time for dealing with a PA request is 10 working days from the date of receipt of the completed PA application form to the date of the letter/ email from the ICB informing the requesting clinician of the funding decision. This will exclude any days where the IFR team is awaiting information sought from the requester. This timescale will be suspended if the ICB requests further information from the requesting clinician, and will only restart once that information has been received.

2.4 Assessment of a Prior Approval Application

- 2.4.1 All PA applications are reviewed by the Prior Approval Coordinator, or other appropriate member of the planned care team in order to determine whether the application can be supported. The potential outcomes of this review process are as follows:
- Funding approved if the application demonstrates that the necessary criteria have been met.
 - Funding declined if the application fails to demonstrate that the necessary criteria have been met.
 - Request further information if the application does not provide sufficient information to make a decision.
 - Request clinical review in rare cases if clinical input is required in order to reach a funding decision.

2.4.2 All decisions made during the review process will be recorded on the IFR database.

2.5 Requests for additional information

2.5.1 If further information is required to support the funding application the Prior Approval coordinator will request this from the requesting clinician. The 10 working day response time for dealing with Prior Approval applications is suspended until the information is received.

2.5.2 Where further information is required the requesting clinician will be asked to respond with the necessary information within 20 working days. If the information requested is not received within this period the application will be rejected on the grounds of insufficient information.

2.6 Requests for clinical review

2.6.1 In rare cases where the Prior Approval Coordinator requires further clinical review in order to reach a funding decision the case will be referred to the established IFR Triage Panel for review. The Triage Panel will review the application and provide a recommendation on the funding outcome as follows:

- Funding should be approved as the application demonstrates that the criteria have been met.
- Funding should be declined as the application fails to demonstrate that the criteria have been met.
- Further information should be requested as the application does not provide sufficient information to make a decision.

2.6.2 The 10 working day turnaround time for PA applications is not suspended where a request for a clinical review is made, and therefore clinical reviews will need to be undertaken rapidly to avoid breaching the response time.

2.7 Funding outcome

2.7.1 The Prior Approval Coordinator will inform the requesting clinician of the outcome of the application within 10 working days of receipt of the application. Outcomes will be communicated in writing, usually via secure (nhs.net) email. Patients are not copied in to the outcome of Prior Approval funding applications.

2.7.2 In accordance with Service Condition 29.26 of the NHS Standard Contract 2014/15, if the ICB fails to respond to a secondary care request within 10 working days (excluding time where the ICB was waiting for a response to a request for additional information) it will be assumed that PA has been granted.

2.7.3 The Prior Approval Coordinator will record details of the outcome of each PA application on the PA database.

- 2.7.4 If the PA application is submitted by a referring GP, that GP must ensure that evidence of PA being granted is included within their referral to secondary care. If such evidence is not included in the referral the provider may reject the referral. Secondary care providers must ensure that evidence of PA being granted (either prior to referral or following triage or assessment) is included within the patient's medical record for audit purposes.

2.8 Appeals Process

- 2.8.1 The PA process does not include a formal appeals process. However, if a clinician has new information to present then a new PA application can be submitted and will be considered through the normal PA process as set out above.

3.0 Monitoring

- 3.1 Performance against expected service standards will be monitored throughout the year and reported to the System Quality Committee as part of the IFR annual report. The key standards for the Prior Approval process are as follows:
- Time from receipt of a Prior Approval application to date of email/letter confirming the ICB's funding decision should not exceed 10 working days – Service standard 100%

4.0 Consequences of undertaking activity without Prior Approval

- 4.1 All providers of NHS care have a responsibility for ensuring that PA procedures are only undertaken where the relevant clinical criteria are met and funding has been agreed through ICB's PA process. If PA has not been granted the procedure should not be undertaken.
- 4.2 On any occasion where a provider undertakes PA activity where a PA application has not been submitted, or where a PA application has been submitted but has been rejected, in accordance with Service Condition 29.22 of the NHS Standard Contract that provider will not be paid for the activity.
- 4.3 On any occasion where a provider undertakes a PA procedure having sought PA approval, but where the ICB failed to respond within 10 working days of receipt of the request (excluding any period where this timescale was suspended), in accordance with Service Condition 29.26 of the NHS Standard Contract, PA will be assumed to have been granted and the provider will be paid for the activity.

5.0 Assessing Compliance with PA policies

- 5.1 The ICB will assess compliance with PA policies through a monthly contractual challenge process with providers that compares approved cases against actual activity undertaken by providers. Providers will be given an opportunity to review cases under challenge and provide feedback to justify the procedure. If this process identifies any cases that have been undertaken without the necessary approval, in

accordance with Service Condition 29.22 the ICB will withhold payment for that treatment and any follow ups and complications associated with that treatment.

6.0 Individual Funding Requests

- 6.1 The detailed arrangements for Individual Funding Requests (IFR) are set out within the IFR policy. However, it should be noted here that if a patient does not meet the criteria for a procedure covered by either the Prior Approval policy or the Criteria Based Access policy, then a request could still be made for funding through the IFR process, but only if there is clear evidence that the patient's clinical circumstances or condition were exceptional (and that therefore in their specific case an exception to the usual access criteria may need to be made).

Prior Approval Application Flow Chart

