Training Objectives

- Understand the purpose of the Corporate Compliance Program.
- Understand the role of the Corporate Compliance Department.
- Understand your role in compliance.
What is Compliance

- Compliance can be described as conducting a business and oneself in an ethical, moral, and legal manner.

- The SIH Compliance Program has an emphasis on fraud and abuse in the Medicare and Medicaid programs, but also includes other laws, and regulations.

- It is doing the right thing and the RIGHT thing to do!
Recovery Audit Contractor (RAC)

✓ Hired by the federal government to identify improper payments and recover overpayments on Medicare claims. States also hiring RACs to audit Medicaid claims.

✓ Paid percentage of findings

✓ Request up to 278 medical records every 45 days for retrospective reviews and 278 every 45 days for prepayment reviews of inpatient stays

✓ Reviewing Medicare claims paid as far back as 3 years. Medicaid RACs will look back 5 years.
Corporate Compliance Program

Internally developed program that promotes ethical and legal business practices. It is designed to prevent, detect, correct and, if necessary, report non-compliant activity to the appropriate Federal and State authorities.
Compliance Program

- Helps our organization remain on the right path, so we can
  - live our mission and values
  - uphold our reputation in the community
  - care for patients

- Help SIH maintain a moral and ethical culture.

- Checks -n- Balance System
Code of Ethics and Conduct

Why have a Code of Ethics and Conduct?
- To uphold our mission, values, and ethics. The core of SIH/SIMS.

Who do they apply to?
- Everyone! We should incorporate the Code of Ethics in our day to day operations.

What does the Code of Ethics cover?
- Things like treatment of patients, documentation, integrity and security of business records, patient and employee safety, obligation to report compliance violations.

Where can you find the Code of Ethics?
- The Intranet, SIH website, and the Compliance Program.
SIH Compliance Helpline

You have questions . . .
we'll get answers!

1.800.965.4583
or
618.529.2540

The Helpline is available 24 hours a day, 7 days a week.
All calls are confidential.
SIH prohibits retaliation against anyone who in good faith reports an actual or potential violation.
The Compliance Department
On the Web

For more information about the Compliance Department check out our **new** Intranet webpage!!
To access, click on Departments at the top of the Intranet home page.

- Contact us (phone or email)
- Meet our staff
- Compliance Program
- “Eye On” newsletters
- Report compliance issues (on-line Helpline)
Compliance Committees

• Corporate (includes Board members & senior leaders)
• Herrin Hospital
• Memorial Hospital of Carbondale
• St. Joseph Memorial Hospital
• System Offices
• SIMS

These Committees advise and assist the Compliance Officer.
Compliance Training

- A significant element of the Corporate Compliance Program is education.

- **ALL** SIH workforce members receive Compliance Training.

- Employees receive annual refresher training.
Compliance Department

- Risk assessment survey
- Audit and monitor
- Research rules
- Review outside audit activity
- Educate
- Participate on multidisciplinary teams
- Interact with government and private/third party auditors
- Help maintain strong compliance program
Compliance Staff

- **Nurse Auditors**: RNs who compare the legal medical record (ChartMaxx) to charges on the patient’s account
  - Janice Brewer (MHC)
  - Linda Walkup (MHC)
  - Carolyn Johnson (HH)
  - Sarah Gill (SJ)

- **Internal Auditor**, Jessica Kranawetter, and **Compliance Auditor**, Jenny Hertter, perform audits and investigations, and research topics and answer questions in their areas of expertise

**Compliance Analyst**, Jenny Baggett, researches new services and other issues, and represents Compliance at revenue cycle and other meetings.
Compliance Staff

Clinical Compliance Auditors: Audit and investigate provider documentation, coding, and other issues
- Marybeth Roe (at CMA) Christy Williams (at LPC)

Government Audit team responds to RAC audit requests and findings, tracks/trends/reports, and prepares appeals
- Christi Roach, Coordinator
- Betheny Johnson, Asst

IT Auditor, Lisa Cavitt, collaborates with IT department, performs audits and investigations, creates and runs reports, and involved in system implementation/upgrades.
Response to a Problem

- Once an issue is discovered, it must be investigated.

- Once investigated and confirmed, the issue must be corrected and any overpayment refunded (60 day limit).

- Once corrected, a follow-up review must be conducted.
Disciplinary Standards

- Create an organizational culture that emphasizes ethical behavior.
- See *Improvement Counseling* policy, SY-HR-401.
Be familiar with Compliance Policies:

Protocol for Search Warrants (SY-LE-004)

- Identify the agent in charge.
- Ask to see identification.
- Request a delay until SIH’s General Counsel or his designee can be present.
- Obtain a copy of the warrant.
- Request permission to copy medical records before releasing them.
Identity Theft Red Flags (SY-CO-028)

- Protect patient’s health and financial info and the integrity of the medical record by positively identifying the patient at registration and before care.

- Report red flag (warning sign) to your immediate supervisor or the house supervisor, who will review and, if necessary, will contact our Privacy Officer, Marcia Matthias, for further investigation.
Gifts

Acceptable-
- Nominal value gifts, such as food or flowers, preferably given to the entire department or unit.

Not Acceptable-
- Cash or Gift Certificates

Note: Government has strict limits on gifts to and from referral sources and vendors.

Please refer to the following policies for more info:
Business Gratuities, SIH system wide policy SY-CO-006
Business Gratuities, SIMS, SM-AD-012
Gifts from Patients, system wide policy SY-CO-008
False Claims Act (SY-CO-019)

- Federal law has existed since the Civil War.
- Government tool for fighting fraudulent, abusive or false claims, including those submitted to the Medicare and Medicaid programs.
- Illinois has a false claims act entitled, *Whistleblower Reward and Protection Act*. It encourages employees with knowledge of compliance issues to come forward.
- SIH has implemented a False Claims Act Policy to raise awareness of importance of documentation.
Examples of Compliance Failures

• Behavioral therapist, $164K and 18 months in jail, fraud, inflating amount of time spent with patients

• Medical corporation, $997K, fraud, billing for services not provided (no reimbursement for what was being done, so coded as another service), physical therapy not done by qualified persons, billing for physician services when physician not in office, billing Medicare and VA for same services

• Health care facility, $448K, False Claims Act, billing female Lupron dose (pays better) even when male dose administered, failure to self disclose when facility discovered problem in 2009

• Doctor indicted for $8.1M conspiracy to commit healthcare fraud, instructed CRNAs to document 31 minutes for all endoscopies & colonoscopies when actual time was less
Your Responsibility.

- Perform job duties in an ethical and compliant manner.
- Adhere to all policies and procedures.
- Report potential violations of policies, Compliance Program, or Code of Ethics.
- Cooperate with the Compliance Department during investigations and audits.

Ask questions & report your concerns. We want to know.
Compliance ultimately depends on each individual within the organization choosing to do the right thing, even when it is inconvenient or takes more time.
Questions?

Thank You!!