Corporate Compliance

For Managers

This self-directed learning module contains

information all Carolinas HealthCare System

Teammates are expected

to know in order to protect our patients, our

guests, and ourselves.

Target Audience: All CHS Teammates Manager-Level

and Above

Instructions

- Read this module and complete the post-test. If you have questions about the material, ask your supervisor. <u>Be sure to pay close attention to the "Sticky Notes for Managers" section at the end of the Module.</u>

- If any of your teammates completes this module manually, please ensure the teammate's signature, your signature, and the date of completion are included on the post-test.

Learning Objectives

When you finish this module, you should be able to:

- **Explain** the importance of a compliance program

- **Identify** key elements of the Carolinas HealthCare System Code of Conduct: *A System of Integrity*

- **Understand** critical compliance concepts and policies, laws, and regulations that apply to your role within the System

- **Know** how to properly use the Chain of Command to get help when you have a compliance question or concern

- **Know** how and when to use the Compliance HelpLine

Compliance

What is a compliance program and *why* do we have one?

Recently, government officials have been cracking down on healthcare fraud and abuse, making compliance programs more important than ever. Healthcare fraud can occur through improper documentation and billing, conflicts of interest, improper patient care, and many other areas.

The Carolinas HealthCare System Corporate Compliance Program:

- Educates Teammates on laws and regulations affecting their roles within the System

- Identifies potential fraudulent activity (accidental or intentional) on the front end

- Provides guidelines to follow when we are faced with questions of ethics or good business practices

- Encourages Teammates to do the right thing all the time, even when no one is looking

- Affirms our long-time commitment to fair and ethical business practices

Our Code of Conduct, **A System of Integrity**, helps Carolinas HealthCare System Teammates uphold the core values of the System by:

- Giving Teammates guidance on ethical matters including our Core Values and Guiding Principles

- Providing a clear understanding of what is expected in the work environment; and

- Explaining what Teammates should do when faced with difficult situations.

Critical Compliance Concept: Patient Care

As a System, we expect that all Teammates will:

- Provide excellent patient care and customer service.

- Treat every patient with dignity and respect.

- Keep protected health information confidential.

- Inform the patient of his/her rights and responsibilities.

- Recognize the patient's right to participate in treatment decisions.

- Provide prompt and courteous customer service.

Ask Yourself:

- Do I always treat patients with respect and dignity?

- Am I careful not to let my personal feelings or circumstances interfere with patient care?

- Do I respect the privacy rights of our patients?

- Do I respect the confidentiality of patient medical and financial information?

System of Integrity Reference: Page 8

Spotlight: EMTALA

Emergency Medical Treatment and Active Labor Act

Any person who comes to the hospital requesting an evaluation for an emergency medical condition must be provided a medical screening examination by a qualified medical professional to determine if he/she has an emergency medical condition, in which case he/she must be stabilized or appropriately transferred to another facility.

Important Points:

- EMTALA applies regardless of a patient's insurance status, race, nationality, etc.

- We are obligated to provide medical screening and to respond to external inquiries for transfer.

- Hospitals or physicians who fail to fulfill these obligations are subject to fines and penalties.

- Transfers for financial reasons are never appropriate.

- It is better to accept a transfer that is borderline than to refuse it.

Critical Compliance Concept: Conflicts of Interest

A conflict of interest is a relationship, influence, or activity impairing or giving the appearance of impairing one's ability to make objective and fair decisions in the performance of his/her job. Carolinas HealthCare System does not wish to do business through the improper use of business courtesies, gifts or relationships.

System of Integrity Reference: Page 11

Conflicts of Interest	Acceptable Gifts
• Use of organizational supplies for personal business	• Non-routine business meals of a nominal value for business or educational purposes
• Direct or indirect ownership of a company that is a competitor or a supplier for the System	• Promotional items such as pens, notepads, or other items of nominal value
• Acceptance of gifts (unless of nominal value) from people doing business or who want to do business with the System	• Educational business travel WITH PRIOR APPROVAL
• Hiring or contracting with family members to provide goods or services to the organization	**IMPORTANT NOTE** Gifts of CASH or CASH-EQUIVALENTS are NOT appropriate without prior approval

Ask Yourself:

• Do I ensure that my relationships do not influence how I perform my job duties?

• Do I refrain from using business equipment and supplies for personal use?

• Do I disclose any business relationship that may be a conflict of interest to my supervisor or the Corporate Compliance department?

• Do I avoid accepting lavish gifts or entertainment from customers or suppliers?

• Do I ensure that I request reimbursement only for normal, out-of-pocket expenses incurred when serving as a speaker or member of an advisory board?

• Do I contact my supervisor or Corporate Compliance when I am not sure if I can keep a gift I have been offered?

For more information on conflicts of interest, refer to Carolinas HealthCare System Policy COR 40.17—Conflicts of Interest, available via PeopleConnect.

Critical Compliance Concept: Documentation and Billing

Proper Documentation

- Proper documentation is important in every aspect of healthcare delivery.

- System records should be prepared accurately, honestly, timely, and in accordance with established financial, accounting, medical and legal procedures.

- Critical areas requiring proper documentation include:
    - Medical Records
    - Physician Orders for services provided, test results and dictated reports
   - Billing records

Proper Billing

- We bill only for care and services provided which are properly authorized and documented as medically necessary.

- It is the System's policy to refund any overpayments made as a result of billing errors

- The Patient Protection and Affordable Care Act (PPACA), signed into law in March 2010, requires identified overpayments to be reported and re-funded, including explanation as to the reason for the error.

Ask Yourself:

- Are all bills for services supported by clinical documentation?

- Does the clinical documentation support the necessity for and the level of services provided?

- Do I refrain from altering bills in any way in an attempt to avoid third party edits or denials?

- If I am unsure how to properly process a bill, do I request further information to avoid improper billing?
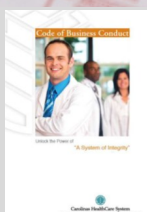
System of Integrity Reference: Page 18

Policy Reference: COR 40.10

Spotlight: Fraud, Waste & Abuse

What is Fraud, Waste & Abuse?

Fraud is knowingly and willfully carrying out, or intending to carry out, fraud against any health care benefit program (Medicare or Medicaid, for example). **Waste** involves the overutilization of services, or other practices that, directly or indirectly, result in unnecessary costs to the Medicare Program. **Abuse** includes actions that may, directly or indirectly, result in unnecessary costs to the Medicare Program.

What's the difference between Fraud, Waste & Abuse?

- Fraud requires that the individual had an **intent** to obtain payment and the **knowledge** that their actions are wrong. Waste and abuse may involve obtaining an improper payment, but does not require the same **intent** and **knowledge**.
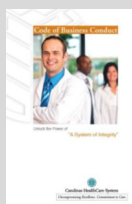
Potential Consequences of Fraud, Waste & Abuse

Federal and State laws and regulations, such as the False Claims Act, as well as Carolinas HealthCare System's policies and procedures, help prevent and detect potential fraud, waste and abuse. In addition to monetary and criminal penalties, fraud or noncompliance can result in other consequences to the organization and its teammates, including loss of provider licensure, exclusion from participation in federal health care programs, reputational damage and possibly jail time.

The False Claims Act

The False Claims Act's purpose is to eliminate fraud, waste and abuse. A false claim is a fraudulent request or demand for money; for example, billing Medicare for services a patient never received. It is a violation of the False Claims Act for a healthcare provider to submit fraudulent or false claims for payment to programs that are funded by Federal or State governments such as Medicare or Medicaid.

System of Integrity Reference: Page 19

For more information, review Carolinas HealthCare System's Corporate Compliance Policy COR 40.13 Self-Reporting and Claims Corrections

Spotlight: Fraud, Waste & Abuse

Our Code of Conduct, **A System of Integrity**, helps Carolinas HealthCare System Teammates prevent, identify and report compliance, fraud, waste and abuse concerns. We are committed to following all laws and regulations and conducting business in a legal and ethical manner. Should errors or noncompliance be identified, the Corporate Compliance department, along with all other appropriate administrators and departments, will take swift action to correct the errors and self-report, as appropriate and as outlined in Carolinas HealthCare System's Corporate Compliance Policy COR 40.13 Self-Reporting and Claims Corrections.
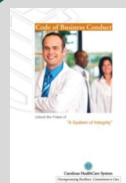
How can I help prevent and detect Fraud, Waste & Abuse?

- As required on an annual basis, educate yourself by taking your Compliance ACE Module.

- Ensure data/documentation and billing information is both accurate and timely.

- Always verify information that is provided to you.

- Be on the lookout for suspicious activity.

- Report concerns through the Chain of Command.

Teammates reporting suspected False Claims Act violations are protected by law and by CHS Policy; known or suspected false claims may be reported by notifying:

- Your Supervisor or Department Head

- Facility Compliance Officer (FCO) - Find your FCO by visiting the Corporate Compliance Website on PeopleConnect

- Corporate Compliance Department

- Compliance HelpLine

System of Integrity Reference: Page 19

For more information, review Carolinas HealthCare System's Corporate Compliance Policy COR 40.13 Self-Reporting and Claims Corrections

Critical Compliance Concept: Reporting Concerns

The Compliance HelpLine

Carolinas HealthCare System utilizes an external firm to provide an independent, toll-free Compliance HelpLine (888-540-7247). This gives Teammates a way to anonymously report possible violations of the System of Integrity or any laws or regulations.

Key Points:

- Available 24 hours a day, 7 days a week.

- Operated by an independent contractor.

- Calls are forwarded to Carolinas HealthCare System within 24 hours; emergencies are forwarded immediately.

- Carolinas HealthCare System investigates and responds to all HelpLine inquiries.

- Callers may follow up on the status of an inquiry.

- Retaliation against a teammate for providing information to the HelpLine is prohibited.
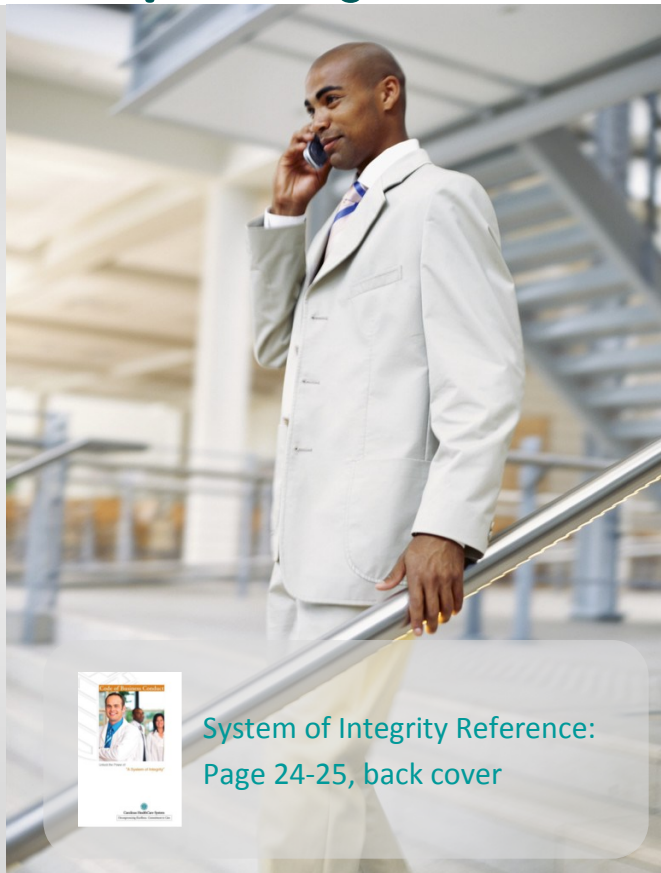
System of Integrity Reference: Page 24-25, back cover

NOTE: THE HELPLINE IS NOT INTENDED TO REPLACE CURRENT PROCEDURES FOR RESOLVING CONCERNS

The Chain of Command

The Chain of Command outlines reporting mechanisms available to all teammates. However, questions and concerns can be reported directly to the Corporate Compliance department at any time.

I have a compliance question or concern

Talk to your supervisor

If the issue concerns your supervisor or if you are uncomfortable discussing it with your supervisor

Talk to your supervisor's supervisor

If you are uncomfortable discussing it with your supervisor's supervisor

For Human Resources Issues	**For Compliance Issues**
Your facility's Human Resources Department	Your Facility Compliance Officer
The appropriate regional Human Resources Office	The Compliance HelpLine or the Corporate Compliance Department

Critical Compliance Concept: Reporting Concerns

HR or Compliance?

HUMAN RESOURCES ISSUES	COMPLIANCE ISSUES
• Timekeeping/ time abuse • Pay rates • Breaks • Work-related training • Job descriptions • Discrimination • Termination • Promotions • Hiring Practices • Workplace violence • Disagreements among coworkers	• Medical record documentation errors • Inaccurate billing or accounting • Falsification of medical or accounting records • Falsification of reimbursement claims • Conflicts of interest • Business courtesies/gifts • Inaccurate record-keeping • Failure to collect patient co-pays or deductibles

Important Policies

THE FOLLOWING POLICIES ARE AVAILABE VIA PEOPLECONNECT AND ARE IMPORTANT FOR ALL TEAMMATES TO KNOW:

COR 40.06—Non-Retribution/Non-Retaliation:

 No disciplinary action will be taken against any Teammate who reports in good faith a perceived problem or violation of the Carolinas HealthCare System Code of Conduct

> For example—a teammate cannot be disciplined for making an honest report to the HelpLine or to his or her supervisor

COR 40.14—Enforcement and Discipline:

Failure to follow the Carolinas HealthCare System Code of Conduct may result in disciplinary action including the possibility of termination.

Ask Yourself:

- Am I familiar with the Carolinas HealthCare System Corporate Compliance Policies?
- Do I contact my supervisor, FCO, or the Corporate Compliance Department immediately when I have compliance questions or concerns?
- Do I understand how to properly utilize the Chain of Command?

Sticky Notes FOR MANAGERS
everyday questions to ask yourself as a manager

Compliance Q's:

- Does every one of my teammates have a copy of and understand the code of conduct, *A System of Integrity?*

- Do I take time to educate my teammates on Corporate Compliance Policies and Procedures?

- Have all of my teammates completed their required ACE Modules for the year?

- Do I know all the resources available to provide guidance to my teammates about business gifts and gratuities?

- Do I make sure my teammates and I do not accept or solicit lavish business gifts or entertainment?

- Do I ensure that my teammates know and understand the importance of proper documentation and billing practices?

- Do I know where to locate Corporate Compliance Policies?

- Do I verify my staff's knowledge and understanding of Corporate Compliance Policies?

- Do I understand the difference between Human Resources issues and Compliance issues and direct my teammates to contact the appropriate people with questions or concerns?

- Do I ensure my staff are aware of the appropriate Chain of Command and options for reporting compliance concerns?