



Rock County
Human Services Department
MA Compliance Training

Web-Based Required Course

Completing the Course

- ▶ Anyone who provides health or administrative services to HSD Clients must satisfy compliance and FWA training requirements. You may use this course to satisfy the general compliance training requirements.
- ▶ This course consists of one lesson and a Post-Assessment. Successfully completing the course requires completing the lesson and scoring 70 percent or higher on the Post-Assessment. After successfully completing the Post-Assessment, you will receive instructions to print your certificate. If you do not successfully complete the course, you can review the course material and retake the Post-Assessment.
- ▶ You do not have to complete this course in one session; however, you must complete the lesson before exiting the course. You can complete the entire course in about **25** minutes.

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Acronyms

The following acronyms are used throughout the course:

ACRONYM	TITLE TEXT
▶ CFR	Code of Federal Regulations
▶ CMS	Centers for Medicare & Medicaid Services
▶ FDR	First-tier, Downstream, and Related Entity
▶ FWA	Fraud, Waste, and Abuse
▶ HHS	U.S. Department of Health & Human Services
▶ MA	Medical Assistance
▶ HCBW	Home and Community Based Waiver
▶ MC	Medicare
▶ MLN	Medicare Learning Network®
▶ OIG	Office of Inspector General
▶ HSD	Rock County Human Services Department

HSD Compliance Training Course

Information Is Provided To You In Part By:



Why Do I Need Training?

Every year, **billions** of dollars are improperly spent because of fraud, waste, and abuse (FWA). It affects everyone—including **you**. This training helps you detect, correct, and prevent FWA. **You** are part of the solution.

Compliance is everyone's responsibility! As an individual who provides health or administrative services for publically funded enrollees, every action you take potentially affects the enrollees, public and private funding sources (MA, HCBW funding, Private Insurance), or HSD Service Delivery Programs.

This training is required at hire and annually per the HSD/MA Compliance Plan and Title 42 CFR, Section 438.608

Course Objectives

- ▶ Learn how our compliance program operates
- ▶ Learn how compliance program violations should be reported

Compliance Program Requirement

The Centers for Medicare & Medicaid Services (CMS) requires providers to implement and maintain an effective compliance program. An effective compliance program must:

- ▶ Articulate and demonstrate an organization's commitment to legal and ethical conduct
- ▶ Provide guidance on how to handle compliance questions and concerns
- ▶ Provide guidance on how to identify and report compliance violations

What is an Effective Compliance Plan

An effective compliance program fosters a culture of compliance within an organization and, at a minimum:

- ▶ Prevents, detects, and corrects non-compliance
- ▶ Is fully implemented and is tailored to an organization's unique operations and circumstances
- ▶ Has adequate resources
- ▶ Promotes the HSD Compliance Plan Code of Conduct
- ▶ Establishes clear lines of communication for reporting non-compliance

An effective compliance program is essential to prevent, detect, and correct billing non-compliance as well as fraud, waste, and abuse (FWA). It must, at a minimum, include the seven core compliance program requirements.

Seven Core Compliance Program Requirements

CMS requires an effective compliance program to include seven core requirements:

1

These articulate the HSD's commitment to comply with all applicable Federal and State standards and describe compliance expectations according to the HSD MA Compliance Plan Code of Conduct.

2

Compliance Officer, Compliance Committee, and High-Level Oversight
HSD must designate a compliance officer and a compliance committee accountable and responsible for the activities and status of the compliance program, including issues identified, investigated, and resolved by the compliance program. The HSD's senior management and governing body must be engaged and exercise reasonable oversight of the compliance program.

3

Effective Training and Education This covers the elements of the compliance plan as well as preventing, detecting, and reporting FWA. Tailor this training and education to the different employees and their responsibilities and job functions.

4

Effective Lines of Communication Make effective lines of communication accessible to all, ensure confidentiality, and provide for anonymous and good-faith methods of reporting compliance issues by HSD staff and first-tier, downstream, or related entity (FDR) levels.

5

Well-Publicized Monitoring Standards HSD must enforce standards through well-publicized guidelines.

6

Effective System for Routine Monitoring, Auditing, and Identifying Compliance Risks Conduct routine monitoring and auditing of HSD's and FDR's operations to evaluate compliance with CMS requirements as well as the overall effectiveness of the compliance program. **NOTE:** HSD must ensure FDRs performing delegated administrative or health care service functions concerning the HSD's fiscal and billing program comply with CMS Program requirements.

7

Procedures and System for Prompt Response to Compliance Issues HSD must use effective measures to respond promptly to non-compliance and undertake appropriate steps in developing corrective action plans as necessary.

Compliance Training: HSD and our Contracted Partners

CMS expects HSD will apply their training requirements and “effective lines of communication” to our Partners. Having “effective lines of communication” means employees of HSD and our Contracted Partners have several avenues to report compliance concerns.

Ethics: Do the Right Thing!

As a member the HSD Team, you must conduct yourself in an ethical and legal manner. It's about doing the right thing!

- ▶ Act fairly and honestly
- ▶ Adhere to high ethical standards in all you do
- ▶ Comply with all applicable laws, regulations, and CMS requirements
- ▶ Report suspected violations

Rock County HSD Compliance Plan Code of Conduct

- ▶ Primary focus of this training as it pertains to the Rock County HSD MA Compliance Plan (Link provided to both at the end of this training)
- ▶ The Rock County HSD MA Compliance Plan Code of Conduct has several key components:
 - ▶ Commitment to Clients
 - ▶ Commitment to Co-Workers and other employees
 - ▶ Commitment to Taxpayers, Funding Sources and Community Partners
 - ▶ Commitment to Open and Impartial Decision-making

How Do You Know What Is Expected of You?

Now that you've read the general ethical guidelines in this training, how do you know what is expected of you in a specific situation?

Our HSD MA Compliance Plan Code of Conduct states the organization's compliance expectations and our operational principles and values. The Human Services Department's MA Compliance Plan Code of Conduct content adheres to our organizational culture and business operations.

The end of this training will contain links to our Compliance Plan and the HSD MA Compliance Plan Code of Conduct.

*It is **everyone's** responsibility to know the Compliance Plan and report suspected concerns with non-compliance.*

What Is Non-Compliance?

Non-compliance is conduct that does not conform to the law, Federal health care program requirements, or an organization's ethical, compliance and business policies. CMS identified the following high risk areas:

- ▶ Provider Misrepresentation
- ▶ Appeals and Grievance Review
- ▶ Beneficiary Notices (Finance and Billing)
- ▶ Conflicts of Interest
- ▶ Credentialing of Staff and Contracted Providers
- ▶ Documentation and Timeliness Requirements

- ▶ Ethics
- ▶ Contracted Partner Oversight and Monitoring
- ▶ Health Insurance Portability and Accountability Act (HIPAA)
- ▶ Outreach and Eligibility
- ▶ Benefit Administration
- ▶ Quality of Care

For more information, refer to the Compliance Plan Guidelines on SharePoint or the links at the end of this training.

Examples of Fraud, Waste and Abuse

What follows are some examples of fraud, waste and abuse which could result in serious contractual and/or financial consequences for the Human Services Department.

- Staff billing for either direct client services with a client that were not actually completed or for indirect services related to a client such as case noting, plan development or other file/record related services.
- Likewise, Staff billing extra time for direct services with a client and/or indirect services related to a client's service needs would be considered another example of fraud, waste, and abuse.

Examples of Fraud, Waste and Abuse Con't

- Staff pre-billing for and documenting direct services to clients and/or indirect services related to a client's needs or plan is also an example of potential fraud, waste, and abuse.
- When more than one staff are providing direct and/or indirect services to a client on a given day they need to make sure they collaborate as to which staff will bill for the services provided to avoid double billing situations.
- Additional examples of fraud, waste, and abuse would include back dating documentation, not providing sufficient documentation related to the time billed, failing to document for direct and/or indirect services billed for a client.

The above examples of fraud, waste and abuse are all examples that should be reported to the HSD MA Compliance Officer.

Know the Consequences of Non-Compliance

Failure to follow the compliance plan requirements and CMS guidance can lead to serious consequences for the Human Services Department, including:

- ▶ Contract Termination
- ▶ Criminal Penalties
- ▶ Exclusion From Participating in Federal and State Health Care Programs
- ▶ Civil Monetary Penalties

Additionally, HSD must have disciplinary standards for non-compliant behavior.

Those who engage in non-compliant behavior may be subject to any of the following:

- ▶ Mandatory Training or Re-Training
- ▶ Disciplinary Action
- ▶ Termination

How to Report Potential Non-Compliance

Employees of HSD

- ▶ Call the Compliance Officer
- ▶ Make a report through the HSD website
- ▶ Contact the HSD Compliance phone number or email

First-Tier, Downstream, or Related Entity (FDR) Employees (Contracted Providers)

- ▶ Talk to a Manager or Supervisor
- ▶ Contact the HSD Compliance phone number or email
- ▶ Report to the Rock County Human Services Department compliance officer

Clients/Participants

- ▶ Contact the HSD Compliance phone number or email
- ▶ Make a report through the HSD website

Don't Hesitate to Report Non-Compliance

When you report suspected non-compliance in good faith, HSD will not retaliate against you.

The Rock County Human Services Department offers reporting methods that are:

- ▶ Anonymous
- ▶ Confidential
- ▶ Non-retaliatory

What Happens After Non-Compliance Is Detected?

Non-compliance must be investigated immediately and corrected promptly.

Internal monitoring should ensure:


- ▶ Systems implemented to prevent recurrence of the same non-compliance
- ▶ Ongoing CMS requirements compliance
- ▶ Development of efficient and effective internal controls to monitor compliance and quality improvement/assurance
- ▶ Protect clients and staff from non-compliant behavior

What Are Internal Monitoring and Audits?

- ▶ **Internal monitoring** activities include regular reviews as outlined in our Compliance Plan which confirms ongoing compliance and developing necessary corrective action plans.
- ▶ **Internal auditing** is a formal review of compliance with a particular set of standards (for example, policies, procedures, laws, and regulations) used as base measures.

Lesson Summary

- ▶ Organizations must create and maintain compliance programs that, at a minimum, meet the seven core requirements.
- ▶ An effective compliance program fosters a culture of compliance.

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- ▶ To help ensure compliance, behave ethically and follow the Human Services Department's Code of Conduct.
 - ▶ Watch for common instances of non-compliance and report suspected non-compliance.

- ▶ Acknowledge the consequences of non-compliance and provide assistance in developing a means to correct any non-compliance with a corrective action plan that might include ongoing monitoring and auditing.

Compliance Is Everyone's Responsibility!

Prevent: Operate within the HSD's organizational and ethical expectations to prevent non-compliance!

Detect & Report: Report detected potential non-compliance!

Correct: Correct non-compliance to protect Clients, Staff and the Human Services Department!



MA Compliance Plan
Code of Conduct

Guiding Ideals for the Rock County Human Services Department

- ▶ Rock County Mission, Vision and Guiding Principles
- ▶ Rock County HSD Professional Standards
- ▶ Rock County HSD Leadership Charter
- ▶ Rock County HSD Commitment to Co-Workers
- ▶ Rock County Behavioral Health Professional Boundaries Expectations