Carolinas Healthcare System

2009 Annual Continuing Education Modules

CMC-NE Corporate Compliance Module

FOR EMPLOYEES

Contact Information:
Compliance Department
Employee Development

This self-directed learning module contains information you are expected to know in order to protect our patients, our guests, and yourself.

Target Audience:

All Non-Management CHS Employees, Students, Volunteers and Physicians

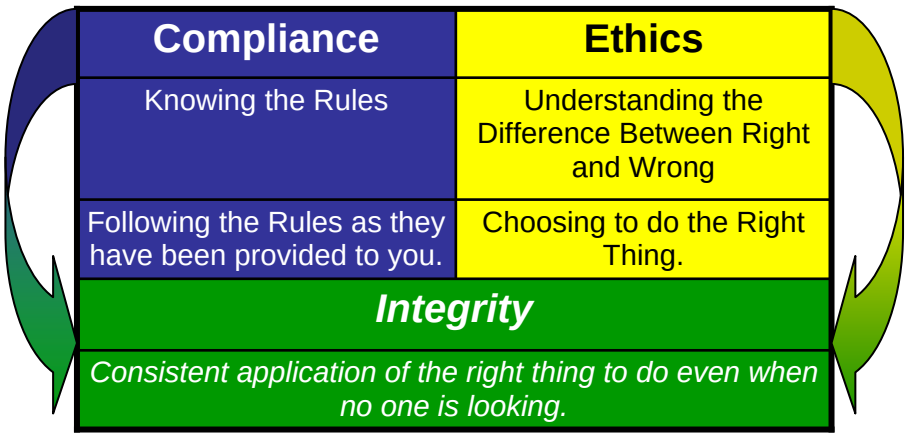
Contents:

Instructions……..1

Learning Objectives……..1

Module Content ……..2

Post-test……..14

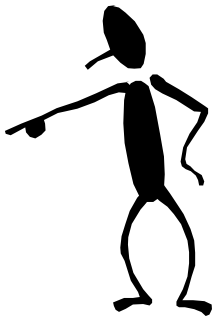


Instructions:

The material in this module is an introduction to important general information and procedures for Corporate Compliance that all employees must know.

- Read this module. If you have any questions about the material, ask your Supervisor.
- If completing the post-test manually, please include your signature and the date and give it to your Supervisor
- Record the date of completion on your **Employee Annual Continuing Education Record**

Learning Objectives:



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

- *Describe* the purpose of a Compliance Program
- *Identify* key elements of the Carolinas HealthCare System's Code of Conduct: *A System of Integrity*
- *Describe* how to properly use the Chain of Command to get help when you have a compliance question
- *Describe* how and when to use the Compliance HelpLine

What is a Corporate Compliance Program? Why do We Have One?

- Provides guidelines to follow whenever we are faced with questions of ethics or good business practices
- Encourages employees to do the right thing, all the time, even when no one is looking
- Affirms our long term commitment to fair and ethical business practices

What is our Code of Business Conduct?

Our Code of Conduct, ***A System of Integrity*** gives CHS employees guidance on ethical matters including our Core Values and Guiding Principles, provides a clear understanding of what is expected of them in the work environment, and explains what to do when faced with difficult situations.

Important Corporate Compliance Policies:

- **Non-retribution/Non-retaliation Policy (COR 40.06):** An employee cannot be disciplined for reporting a perceived problem or violation of the *System of Integrity*.
  - For example, you will not be punished for making honest reports to the HelpLine or to your immediate supervisor.
- **Enforcement and Discipline Policy (COR 40.14):** Failure to follow the System *of Integrity,* may result in disciplinary action including the possibility of termination

Examples of conduct that may result in immediate termination:

1. Willfully providing false information
2. Punishment of an employee for reporting a problem
3. Failure to report a violation that a reasonable person knows is wrong

- **Identifying and Reporting False Claims (COR 40.20):** The System is committed to submitting accurate information to the federal and state government. This policy provides a detailed description of the requirements of federal and state false claims laws as well as administrative remedies and whistleblower protections.

Patient Care

- Provide Excellent Patient Care and Customer Service
- Treat the patient with dignity and respect
- Keep protected health information confidential
- Inform the patient of his/her rights and responsibilities
- Recognize the patient's rights to participate in treatment decisions
- Provide prompt and courteous response to requests and needs

Confidentiality

We respect and maintain the confidentiality of:

- Patient/client identity and diagnosis, treatment, financial and other personal or family information
- Patient's health information
- Personal and professional information about personnel actions
- Private, financial, pricing and cost information not of public record

Patient, hospital and employee information are to be shared only on a job-related **need – to – know basis.**

HIPAA (Health Insurance Portability & Accountability Act) regulations provide additional safeguards and guidelines for patient confidentiality.

Safeguarding System Property and Technology

Employees should:

- Use system assets only for authorized business purposes (i.e. computers, copiers, phones, fax, uniforms)
- Comply with all copyright and software licensing laws
- Never share passwords
- Respect the trade secrets and intellectual property rights of others and the System
- Never bring or install software from home
- Comply with the CHS Acceptable Use Policy found on Synapse

Workplace Behavior

(and Equal Employment Opportunity)

CHS is committed to a work environment that:

- Respects the rights, dignity, and cultural differences of others.
- Does not tolerate any form of harassment
- Ensures fair and lawful human resources policies and practices
- Does not tolerate discrimination against an employee or applicant for employment

Conflicts of Interest

*What is a **Conflict of Interest?***

- A relationship, influence or activity that **impairs,** or even **gives the appearance** of impairing, an employee's ability to make objective and fair decisions in the performance of his/her job.

<u>Potential</u> Conflicts of Interest:

- Direct or indirect ownership of a company that is a competitor or supplier for CHS
- Employment by a competitor or potential competitor while employed by the System
- Acceptance of gifts, payments, or services from those doing business, or seeking to do business, with the System
- Hiring or contracting with family members or friends to provide goods or services to the System (e.g. hiring your spouse's catering service)

If you suspect a potential conflict of interest, you must **immediately disclose** any actual or potential Conflicts of Interest to your Supervisor. Your Supervisor will contact Corporate Compliance.

… Ask Yourself …

- ***Do I refrain from using business supplies and equipment for personal use?***
- ***Do I make sure that my family members are not involved in another business activity that might interfere with how I perform my duties as a System employee?***
- ***Do I refrain from using System data or property for personal gain?***

Business Courtesies and Gifts

It is the System's policy to select suppliers on the basis of factors such as price, quality, performance, customer service assistance and reputation. The System does not give or receive business through the improper use of business courtesies, gifts or relationships.

It is a violation of the Anti-Kickback Statute, and System policy, to give or receive "remuneration" either in return for or to encourage:

(a) a patient referral; or
(b) the purchase or lease of a service or item

What is "Remuneration"?

Remuneration is defined as anything of economic value, including kickbacks, bribes and rebates (whether in cash or in-kind). Even the opportunity to earn money may be considered remuneration.

Examples of Unacceptable Gifts:

- Gifts given in order to get business
- Non-business related trips
- Cash

Examples of Acceptable Gifts:

- Unsolicited, non-cash gifts such as food and refreshments of a reasonable value
- Unsolicited advertising or promotional material, such as a pen, calendar, paperweight or other small item
- Non-routine meals paid for by a supplier that occur in the normal course of business discussion or education session

… Ask Yourself …

- ***Do I make sure that I do not solicit or ask for gifts?***
- ***Do I avoid accepting expensive gifts or entertainment from customers or suppliers?***
- ***Do I always reject any offer of cash or cash-equivalent (e.g. gift card, check) from a supplier?***

Competition and Anti-trust

The System competes aggressively and in an ethical and legitimate manner.

Employees should:

- Avoid all actions which are in competition with CHS services
- Never disclose price or market information with someone from another company without consulting CHS Legal counsel

An example of an unlawful practice includes making an arrangement with a competitor which artificially raises the price of services or improperly reduces competition.

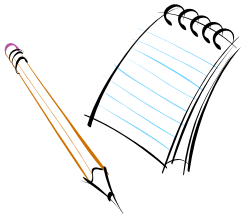
Safety, Health and the Environment

Carolinas HealthCare System:

- Seeks to provide a healthy and safe work place
- Works to minimize the use and discharge of hazardous substances
- Ensures compliance with laws, regulations, and guidelines that apply to scientific and clinical research
- Prohibits the illegal use, sale or transfer of drugs

Reporting to work under the influence of drugs or alcohol, or possessing drugs or alcohol in the work place is a violation of the Drug and Alcohol Policy and will subject the employee to the disciplinary process.

Proper Documentation and Billing



What do I need to know about **documentation**?

- Proper documentation is important in every aspect of healthcare delivery
- System **records** shall be prepared **accurately, honestly, timely,** and in accordance with established financial, accounting, medical and legal procedures

What do I need to know about **billing**?

- The System **bills** 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

Critical Areas that Require Proper Documentation:

Medical **records**
Physician **orders** for services provided, test results, and dictated reports
Billing records

Admission, Treatment and Referrals

- Admissions are based on medical necessity guidelines
- CHS does not waive insurance co-pays or deductibles to patients to obtain admissions
- Each patient is treated individually with treatment plans developed according to his/her needs

Community Involvement

Participation in political and non-CHS sponsored community activities as a private citizen is encouraged, but should **not**:

- Interfere with the satisfactory performance of official duties
- Create a Conflict of Interest (see page 6)
- Involve use of System funds, equipment, facilities or assets without appropriate senior management approval

Marketing & Media

Unapproved release of sensitive information may have a negative effect on the System or violate patient confidentiality

- All sensitive information must be approved for release by the designated appropriate facility representative to protect patient confidentiality. Speak with your supervisor before releasing any information to the media.
- All system advertising must be truthful and not misleading.

Dealing with Government Officials

What should you know when dealing with Government Officials?

If an employee is contacted by a Government Official **or** if an employee is delivered a **search warrant or a subpoena**, you should:

- Request the agent's **name** and **agency**
- **Notify your supervisor** who will call the Administrator on call, Corporate Compliance and Legal Departments
- Not interfere with the agent
- Request a copy of the search warrant or the subpoena
- Get a written inventory of all items taken by agent

CHS recommends that you request the presence of legal counsel prior to answering any questions if Government Officials arrive unannounced at your home.

Identifying and Reporting False Claims

It is a violation of the False Claims Act for a health care provider to submit fraudulent or false claims for payment to programs that are funded by federal or state governments, such as Medicare and Medicaid.

What is a False Claim?

A "claim" includes any request or demand for money that is submitted to the U.S. government or its contractors. A **false** claim is a fraudulent request or demand for money. For example, requesting Medicare to pay for services that the patient never received.

What do I need to know?

- If an employee knows of or suspects a false claim has been submitted, this must be reported immediately.
- Employees can make reports to supervisors, their Facility Compliance Director, the Corporate Compliance Department, or the Compliance HelpLine.
- All employees are protected by CHS policy COR 40.06, Non-Retribution/Non-Retaliation when they report suspected violations.
- Employees who choose to report a false claim to the federal or state government are entitled to whistleblower protections, including protection from retribution or retaliation by the employer.

… Ask Yourself …

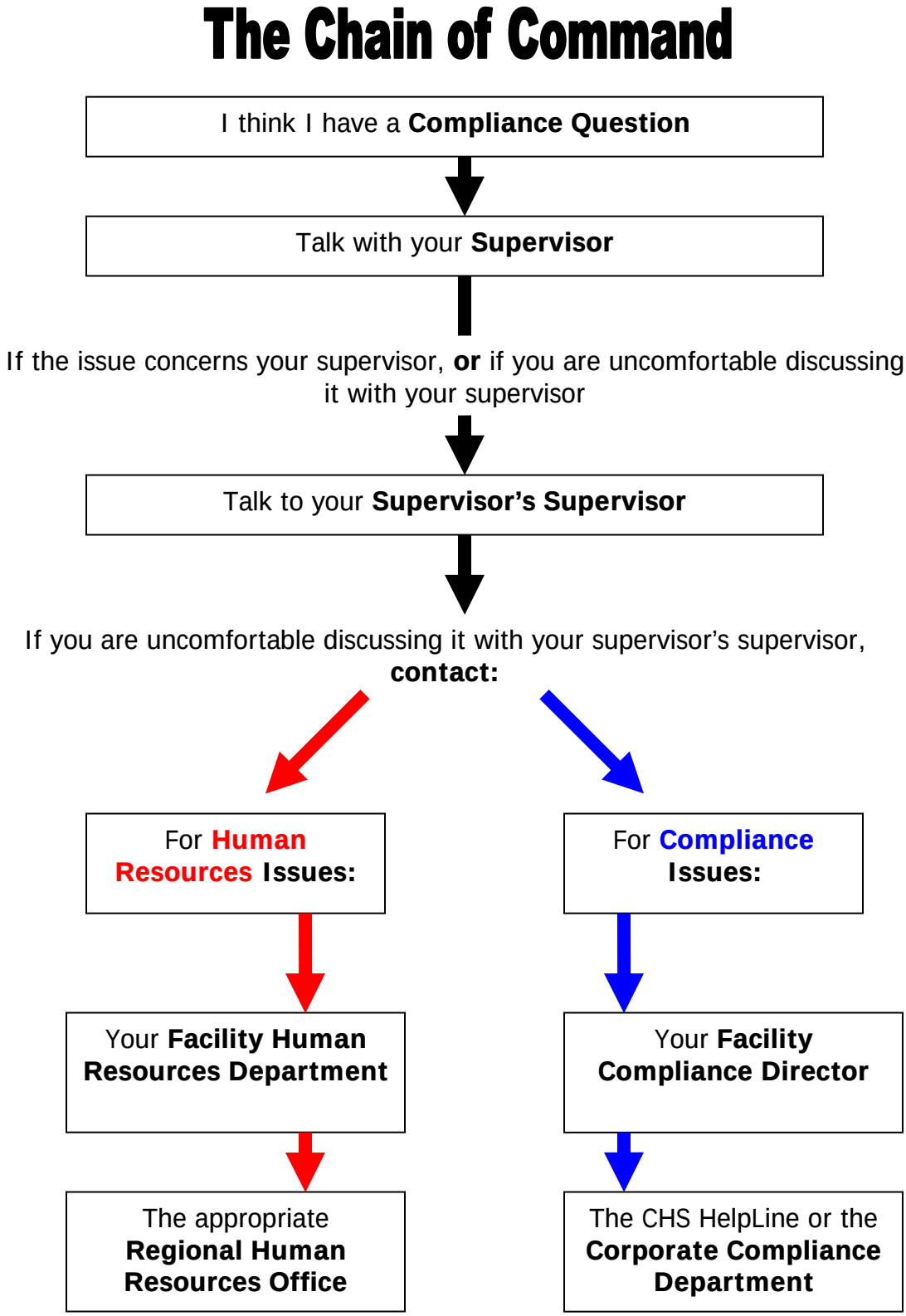
- ***Am I familiar with all of the CHS Corporate Compliance Policies?***
- ***Do I contact my supervisor, my Facility Compliance Director or Corporate Compliance Department immediately when I have compliance questions or concerns?***

Auditing and Monitoring

The Corporate Compliance Department conducts compliance audits and takes necessary actions to identify and correct potential coding and billing errors. Medical record reviews are performed to assess accuracy of coding, charges, and billing; ensure medical necessity documentation is present; and oversee self-monitoring activities throughout CHS.

Getting Help

To **report** a workplace concern or potential problem, CHS employees should follow:



Facility Compliance Directors

Facility	Compliance Director
Chief Compliance Officer, CHS	Gene DeLaddy
Anson Community Hospital	Carol Williams
Blue Ridge HealthCare System	Thomas Eure
Carolinas Medical Center (CMC)	Sara Herron
CMC – Lincoln	Lesley Chambless
CMC – Mercy	Collin Lane
CMC – NorthEast	Katie Dever
CMC – Pineville	Cheryl Atkinson
CMC – Union	Ken Nanney
CMC – University	Tony Kouskolekas
Carolinas Physicians Network	Sara Cole
Carolinas Rehabilitation	Alex Hopkins
Cleveland Regional Medical Center	Gail McKillop
Columbus Regional	Sharon Tyler
Corporate Operations	Laura Lyon
Huntersville Oaks	Katie Spegal
Kings Mountain	Gail McKillop
MEDIC	Shelly Forward
Sardis Nursing Home	Jamie Cicali
St. Luke's Hospital	Amy Arledge
Wallace Thomson Hospital	Susan Foster
Wilkes Regional Medical Center	Sandy Sheppard

The Chain of Command says:

If you have a compliance issue or question, contact your Facility Compliance Director or CHS Corporate Compliance Department at (704) 512 – 5900 for guidance.

Getting Help

First determine if the issue is:

HR or COMPLIANCE?

*Examples of **Human Resource** Issues*	*Examples of **Corporate Compliance** Issues*
Time sheet / Time abuse	Medical Record Documentation Errors
Pay rates	Inaccurate billing or accounting
Breaks (lunch, etc)	Falsification of medical or accounting records
Work-related training	Falsification of reimbursement claims
Job descriptions	Conflict of interest
Discrimination	Soliciting or Accepting Inappropriate Gifts from Vendors
Terminations	Patient Confidentiality
Promotions	Inaccurate record keeping
Hiring practices	Failure to collect patient co-pays or deductibles
Workplace violence	
Disagreements among co-workers	

Remember: Employees **must report acts of wrongdoing** by another employee of Carolinas Healthcare System or face **disciplinary action**.

Our System of Integrity Compliance HelpLine

1-888-540-7247

CHS has contracted with an outside firm for an independent, toll-free Compliance HelpLine. This provides employees with a way to report possible violations of the *System of Integrity* or any other violations of laws and regulations.

Benefits to Employees:

- Open 24 hours a day, 7 days a week
- Operated by an independent contractor
- Callers may choose to remain anonymous
- The HelpLine is **confidential**
- Calls are forwarded to CHS within 24 hours; emergencies are forwarded immediately
- The System investigates and responds to all HelpLine inquiries
- Callers may follow-up on status of inquiry

Additional Information:

- The HelpLine is not intended to replace current procedures/processes for resolving concerns
- Retaliation against an employee for providing information to the HelpLine is prohibited
- Calls to the CHS Compliance HelpLine regarding Medicare Advantage Plans will be managed in accordance with contract requirements

An employee may use the HelpLine if an issue has still not been addressed by using the Chain of Command or if the employee wishes to remain anonymous.

Corporate Compliance Post-test

Instructions:

When employees fail to achieve a score of 100%, they must RETAKE the Compliance Post-test and seek assistance from their immediate supervisor to obtain further educational support. The contents of the post-test may NOT be modified without the express written consent from the CHS Corporate Compliance Department.

Please circle the correct answer and notify your manager once completed.

1. What is one of the tools that CHS has put in place in order to receive your compliance-related questions, suggestions, or concerns?
   - **a.** A round table discussion
   - **b.** A suggestions and comments box in the cafeteria
   - **c.** A telephone HelpLine
   - **d.** A Synapse chat room
   - **e.** None of the above

2. The *System of Integrity* is a resource to help you:
   - **a.** Review the Guiding Principles and Core Values of CHS
   - **b.** Understand what the System expects in the work environment
   - **c.** Find guidance for managing difficult situations
   - **d.** All of the above

3. Employees are protected under the Corporate Compliance policy of Non-retribution/Non-retaliation and are required to report any acts of wrongdoing that they are aware of.

   True **False**

4. Which of the following is a potential conflict of interest?

- **a.** Being employed by a competitor or potential competitor
- **b.** Accepting expensive gifts or entertainment from customers or suppliers
- **c.** Hiring or contracting with family members or friends to provide goods or services to the System
- **d.** All of the above.
- **e.** None of the above.

5. Corporate Compliance involves:

- **a.** Billing
- **b.** Documentation
- **c.** Conflicts of Interest
- **d.** Resolution of disagreements among coworkers
- **e.** Only a, b, & c

6. Accepting gifts from a vendor is OK, as long as the vendor is your friend and no one will know about it.

True **False**

7. In what ways can you contribute to our System of Integrity Compliance Program?

- **a.** Reporting wrongdoing
- **b.** Completing the CHS Privacy & Security Module before interacting with patient information
- **c.** Following the Corporate Compliance policies and procedures
- **d.** Talking with your Facility Compliance Director
- **e.** All of the above

8. When contacted by a Government Official, the first thing you should do is:

- **a.** Not interfere with the agent
- **b.** Assist agent in finding the records requested
- **c.** Request the agent's name and agency and notify your supervisor, who will call the Administrator on call, Corporate Compliance and Legal Departments
- **d.** Request a copy of the search warrant or subpoena
- **e.** Allow agent to begin their walk-through of the department

9. According to the Chain of Command, the first place you should go to report an issue that you've identified as a **compliance** issue is:

- **a.** Your Facility Compliance Director
- **b.** Your Supervisor
- **c.** Your Supervisor's supervisor
- **d.** The Compliance Department

10. You should use the CHS Corporate Compliance anonymous HelpLine when:

- **a.** You want to issue a complaint about a **compliance** issue anonymously
- **b.** You have noticed a Conflict of Interest
- **c.** You want to issue a complaint about your work schedule
- **d.** You realize there has been inaccurate record keeping
- **e.** All of the above issues except (c.), which is a Human Resources issue

11. Which of the following may result in immediate termination?

- **a.** A Supervisor punishing an employee for reporting a problem
- **b.** Willfully falsifying billing records
- **c.** Willfully falsifying medical records
- **d.** All of the above

12. Which of the following items are not acceptable gifts as stated by the CHS Business Courtesies and Gifts policy:

- **a.** Gift Cards
- **b.** Non-business related trips
- **c.** Cash
- **d.** Non-routine business meal accompanied with an education session
- **e.** All of the above
- **f.** Only a, b, and c

13. Which of the following are Compliance requirements for all employees?

- **a.** Report a violation of any law or System policy
- **b.** Complete the Compliance ACE Module every year
- **c.** Report a potential Conflict of Interest
- **d.** Always provide accurate, honest, and timely documentation
- **e.** All of the above

14. Each facility has an assigned Facility Compliance Director; however, the Carolinas HealthCare System's Chief Compliance Officer is:

- **a.** Michael Tarwater
- **b.** Greg Gombar
- **c.** Gene DeLaddy
- **d.** Paul Franz

Employee Name: (Print) _____

Employee Name: (Signature) _____

Date: _____Test Score: _____

Manager Name: _____

Facility: _____ Dept: _____

Attestation to the "System of Integrity"

I attest that I have received a copy of the CHS Code of Conduct, "A System of Integrity", and have been oriented on its contents. I understand that failure to comply with the Compliance Plan and the rules outlined in "A System of Integrity" may lead to disciplinary actions, including possible termination of employment. The Compliance Plan policies and procedures are located on Synapse, the CHS Intranet website.

Employee Signature *Date*