Corporate Compliance

Contacts

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Introduction

CMC is committed to the highest standards of business conduct and compliance with applicable laws and regulations.

What does the Compliance Department do?

- We work with everyone at CMC to prevent fraud, waste, and abuse and to ensure that we have centralized processes in place to prevent, detect, correct, and/or report these things.
- Nobody is an expert in all of the laws, regulations, and standards that apply to us here at CMC, but we use policies, education, audits, other monitoring, responsiveness, reporting, and discipline as necessary to ensure compliance in important areas.

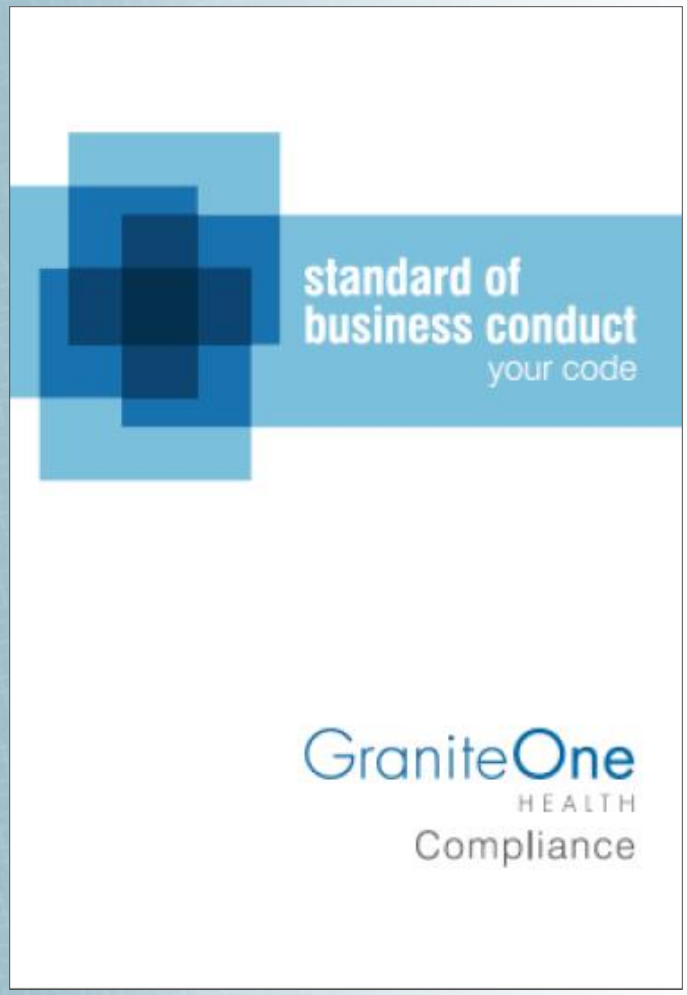
Who is responsible for compliance at CMC?

YOU!

- We depend on you to do the right thing at all times and also be our eyes and ears within CMC to report concerns so that we can work together to remain compliant!
- We are available to talk to staff members at all levels at all times, and we encourage you to reach out to us with concerns.

Compliance Overview

Where can I find information about CMC's compliance requirements?



- CMC's "**Standard of Business Conduct**," also known as "The Code," outlines compliance topics and CMC's minimum standards of ethical behavior.
- The Code is available **on the intranet** on the "Corporate Compliance" page.
- **CMC is committed to the highest standards of business conduct**, so each year during your evaluation, you will be required to confirm that you understand the Code.

Reporting

How do I contact the Compliance Department?

- The following contact information is available in the Code, on CMC's intranet site, and on posters displayed in staff areas throughout CMC.
- You may also file a 2BSafe Incident Report via CMC's intranet.

CMC
CATHOLIC MEDICAL CENTER
a member of GraniteOne Health

Anonymous Hotline
603.663.6749
In person at:
195 McGregor Street
3rd Floor - Suite 308
Via Direct Dial
603.663.8760

How to Report a Suspected Compliance Issue

GraniteOne HEALTH Compliance

Anonymous Compliance Hotline
833.COMPLYGOH

Anyone is welcome to report compliance concerns or questions at the GOH level. Alternatively, you are welcome to contact your local compliance office.

Those who, in good faith, report a potential violation of law, regulation, policy, procedure, or the Code of Ethical Conduct will not be subjected to retaliation, retribution or harassment.

Non-Retaliation

Will I get in trouble for reporting? NO!

- CMC has a very strict **non-retaliation policy** supported by Senior Management, meaning you **cannot be penalized for reporting any types of issues or concerns in good faith**.
- Details of CMC's non-retaliation policy are highlighted in the Code and set forth in a policy titled, "Compliance Reporting & Non-Retaliation."
- Any supervisor, manager, employee, or medical staff member who conducts or condones retaliation, retribution, or harassment in any way will be subject to discipline, up to and including termination.
- Any employee, physician, or other individual who provides care, treatment, or services and who has concerns about the safety or quality of care provided in the organization may report these concerns to the Joint Commission and will not be retaliated against for doing so.

If you ever feel retaliated against, please contact the Compliance Department. We will support and assist you!

A quick overview of a few important topics related to Compliance…

Billing, Coding, and Documentation

- Various laws and regulations (including but not limited to Medicare's Condition of Participation, the False Claims Act, and NH Board of Medicine Rules) set forth requirements for billing, coding, and documentation.
- These laws impose fines, penalties, and other sanctions for violations, even if the violations are unintentional.
- Good documentation is fundamental to compliance with all of these laws. Per government and insurance company rules, if treatment and services are provided but not documented, they are not reimbursable.

False claims and prohibited billing, coding, and documentation activities include:

- Falsifying documentation in any way, including documenting for someone else or signing their name. **It is never acceptable to sign someone else's name, whether on paper or electronically in the EMR.**
- Seeking reimbursement for items or services that were never rendered.
- Providing, and billing for, services that are not medically necessary.
- Upcoding services for higher reimbursement.
- Billing separately for services that should be bundled or combined.

Compliance Scenario #1

A coder reaches out to a provider for clarification about a medical record. The provider angrily responds, “Don’t you know I’m busy with patients? It would save us all a lot of time if you could just figure it out and get the bill out the door.” Upset, the coder talks to her coworker. She knows it is against policy to assign codes that are not supported by provider documentation, but she is scared to defy the provider. She decides to do what he instructed. She asks her coworker not to say anything.

Takeaways:

- The coder made a non-compliant decision.
- **It is important for CMC to bill only for the care it has provided and documented.**
- The coder should not be afraid to report the provider’s instructions to her supervisor. Also, she should not have asked her coworker to keep the incident between them. CMC values transparency and doing the right thing.
- **CMC’s non-retaliation policy protects you from retaliation for reporting non-compliant behavior.** We have an anonymous hotline and reporting forms if you prefer not to be identified.

Stark Law, Anti-Kickback Statute, and Conflict of Interest Rules

- The **Stark Law** and the **Anti-Kickback Statute**, sometimes referred to as the "anti-bribery" laws, are federal laws unique to the healthcare industry that govern and restrict CMC's relationships with physicians, vendors, patients, and referral sources.
  - At a high level, these laws **prohibit us from offering or accepting anything of value directly or indirectly to induce referrals**.
  - Both laws are intended to remove incentives to overuse medical care that may result if treatment decisions are tied to financial gain.
  - These laws are why we have a strict policy that **we do not accept gifts from any sources**.
- Above and beyond these laws, CMC has policies and procedures in place to ensure that no business decisions are motivated by anyone's personal gain. **All business decisions must be based on what's best for patient care and the community we all serve.**
- CMC values transparency. All managers, directors, employed physicians, and other key personnel are required to fill out a "Conflict of Interest" form once a year so that the Compliance Department can track any potential issues regarding contracts and vendors.

Compliance Scenario #2

A patient's sister approaches a nurse and hands her some cash. "You have been so kind to my sister. Please take this token of my appreciation," she says. The nurse politely declines, but the patient's sister insists, "I won't take 'no' for an answer! It can be our little secret."

Takeaways:

- The nurse did the right thing by declining the gift; **no one can accept gifts.**
- Everyone should provide equal care to all patients. No patient should have to pay extra or feel they have to offer any more than a "thank you" for their care.
- Even if motivated by good intent and genuine appreciation, a patient's gift to a provider or staff member could be perceived by another patient as a bribe for special treatment. **CMC wants to avoid the appearance of any improprieties and ensure that all patients receive high quality care and treatment regardless of their ability to pay or provide gifts.**
- If you are unsure how to handle a situation, please talk to your Supervisor or contact the Compliance Department for help!

Compliance Scenario #3

Mike and Jane work in the finance department. Jane tells Mike about the big game last night and says, “You should have been there! I had floor seats.” Mike replies, “Wow! Those must have cost you a pretty penny!” Jane answered, “No! I actually got the tickets from that new sales rep. It was no big deal. He said he was going to throw them out if I couldn’t use them. You can’t let tickets like that go to waste!”

Takeaways:

- Jane violated CMC compliance policies and should not have accepted the gift.
- **No employee, including those in administrative roles and Senior Leadership positions, are permitted to accept tickets or other gifts from vendors.**
- CMC wants to be ethical and transparent in all of its business decisions. We never want it to look like anyone at CMC is taking bribes or giving special treatment to any vendor. It can blur good decision-making and choices related to vendors.
- Related, **we do not accept or give out drug samples** (with limited exceptions). Our “no drug samples” policy removes incentives that can impact providers’ treatment or decisions improperly.

External Reporting and Refunds

- Whenever a compliance issue is identified, the first priority should always be to **correct it immediately** going forward.
- However, it is important to understand that CMC may have legal and ethical obligations to report issues externally, **and refund any identified overpayments** that are the result of such issues going back up to six (6) years and within a short time frame – only **sixty (60) days**!
- The procedures for investigating and handling all such potential refunds are addressed in CMC's policy titled, "**S**elf **R**eporting and **R**eturning of **O**ver and **U**nder **P**ayments," with oversight from the **SRROUP Committee** with members of the Compliance Department, Billing Department, Finance Department, and Revenue Cycle Department.
- All CMC employees and providers who suspect an overpayment or underpayment are **obligated to immediately notify the Compliance Department**, so the right CMC teams can work to correct the issue, as necessary, going forward and backwards, ensuring appropriate external reporting and refunds.

The most important compliance takeaways…

Your Role in Compliance

- CMC relies on **everyone**, not only the Compliance Department members, to ensure compliance at CMC.
- You can contribute to successful compliance at CMC by:
  - Completing your duties efficiently, accurately, and ethically;
  - Asking questions;
  - Communicating concerns; and
  - Reporting wrongdoing.
- Remember that CMC's policies **require you to report** any suspicious or illegal conduct.
- You have the option to remain anonymous by calling **CMC's Compliance Hotline at x6749**, the **GOH Compliance Hotline at 833.COMPLYGOH**, or using the **2BSafe** reporting system.
- CMC's Non-Retaliation policy protects you when asking any questions or making any reports in good faith.

Thank you!