

CORPORATE COMPLIANCE MATTERS

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EVERCARE: ADDRESSING COMPLIANCE TOPICS

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REAL CASES:

I am concerned that a newly hired clinician is not following all the policies and procedures for our department. What should I do?

High quality is critical to your organization's healthcare mission and quality of care is not truly possible unless it is delivered consistent with all requirements. You should talk openly and honestly to your supervisor about your concerns or contact the Compliance Officer in confidence. It could be a simple mistake and be corrected to prevent future occurrences. If it is not reported, the impact on the whole system could be much worse.

OVERSIGHT OF EVERCARE COMPLIANCE PLAN

EverCare is a non-profit organization committed to the expansion and development of community-based programs that keep our members and patients safe and healthy in their own homes. Our mission is guided by the principles of quality, respect, excellence, integrity, compliance to New York State and federal regulations, ethics through uncompromised commitment to compassionate PeopleCare.

SOCIAL DAY CARE VISITS AND AUDITS

During the past two months, compliance conducted field visits to each of our 10 social day care vendors in Orange, Rockland and Dutchess counties. After sending a letter and pre-survey information, the visits toured each operation and make sure they are in conformance with the NYS regulations. Areas covered were program activities, census, employee-to-member ratio, facility appearance and cleanliness, documentation, in-service records and leadership. Areas of focus involved of proper documentation, nurses notes, identification, background checks and training. Each issue had been addressed and corrected.

DIFFERENCE BETWEEN FRAUD & ABUSE:

Abuse results from practices that directly/indirectly result in unnecessary cost. May not be the intent and impossible to prove but may develop into fraud if there is evidence of the person knowingly and willfully conducting abusive practice. **Fraud** requires evidence of intent to defraud – acts were committed knowingly, willfully and intentionally.

Q: How many elements are there in EverCare's Compliance Program?

A: There are a total of 8 NYS elements. They are: have a written compliance plan, designation of employee for the plan, training, communication, disciplinary action, ID risk areas, response system and policy of non-intimidation/non-retaliation.

Q: What happens if a vendor has committed a violation?

A: Vendors, contractors, consultants who have committed a NYS or federal violation may be listed on a Sanctions or Exclusion list that would exclude them from doing business with Medicare/Medicaid.

ACRONYMS – TODAY'S TOP 5:

- 1) HIPAA – Health Insurance Portability & Accountability Act
- 2) HITECH – Health Information Technology for Economic & Clinical Health
- 3) MN – Medical Necessity
- 4) POC – Plan of Care
- 5) SOC – Start of Care

"It takes less time do a thing right than it does to explain why you did it wrong." Henry Wadsworth Longfellow
