



# Compliance Awareness Training

# Course Objectives



Understand the government's involvement in healthcare.



Become familiar with Beacon Specialized Living Services compliance program.



Introduce federal and state fraud and abuse laws that apply.



Become familiar with internal and external audit and investigation procedures.

# Compliance is...

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A program specifically designed to combat fraud and abuse in the healthcare setting.

It works to ensure that Policies and Procedures apply and are followed by **EVERYONE**.



# Meet the Beacon Compliance Team

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**Christopher Taylor**



**Michelle Brausch**



**Donna Cornwell**



**Patti Miller**



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**Marlo Derry**



# Our Goal is...

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- Assure that resident bills are complete and accurate.
- Supply adequate documentation to support services billed.
- Detect wrongdoings and take corrective measures.
- Promote ethical behavior.



# Components of a Compliance Program

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- Establish Compliance Standards
- Ensure compliance with required education and training.
- Implement techniques to detect incorrect billing.
- Lead investigation and remediation processes in problematic areas.



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# Corporate Integrity Agreements

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Contracts between a healthcare provider and the Office of the Inspector General of the U.S. Department of Health and Human Services.



# Beacon's Obligation

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Beacon Specialized Living Services, Inc. must establish a compliance program designed to ensure compliance with Federal Health Care.



# Compliance Department and Committee

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- Develops and implements policies, procedures, and practices designed to ensure compliance.
- Adheres to the
  - Requirements set forth in policy.
  - Requirements of Federal Health Care programs.



# Annual Review Policy

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Staff members must certify annually that they have received, read, understand, and agree to abide by the Organization and Employee Code of Ethics Policy. Compliance Policies must be reviewed annually.



# Written Standards

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- Organization and Employee Code of Ethics Policy
- Policies and Procedures



# Code of Conduct

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All employees and affiliated professionals with Beacon Specialized Living Services, Inc. shall conduct all activities in a manner that will promote integrity and compliance while practicing sound ethical and professional judgment.



# Code of Conduct

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All employees and affiliated professionals of Beacon Specialized Living Services, Inc. shall abide by regulations set forth by the state and federal healthcare programs.



# Code of Conduct

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Beacon Specialized Living Services, Inc. employees and affiliated professionals shall prepare complete and accurate medical records, financial information, and bills.



# Code of Conduct

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Beacon Specialized Living Services, Inc. employees and affiliated professionals shall report suspected non-compliant behavior that violates any statute, regulation, or guideline applicable to a State or Federal healthcare program or Beacon Specialized Living Services, Inc.'s policies. All reports are confidential. All employees have the right to remain anonymous. Beacon Specialized Living Services, Inc will not retaliate upon any employee that reports suspect behaviors in any form or fashion.



# Code of Conduct

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- All employees shall attend and/or complete the mandated training requirements in a timely manner.
- All employees shall participate in any reviews, investigations, or audits whether conducted by an internal or external agency.



# Code of Conduct

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- All employees shall disclose to the compliance officer any information received from the State or Federal healthcare programs or their agents.
- All employees shall refuse any type of illegal offers, remuneration, or payments to induce referrals or preferential treatment from a third party.



# Code of Conduct

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- All employees shall adhere to the Organization and Employee Code of Ethics Policy as a condition of employment at Beacon Specialized Living Services, Inc.
- All employees and affiliated professionals can be suspended, terminated, or barred from further employment or affiliation with Beacon Specialized Living Services, Inc. as a result of non-compliant behavior.



# Code of Conduct

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New employees must receive the Organization and Employee Code of Ethics Policy within 2 weeks of employment.



# Training Compliance

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- All persons in supervisory positions are responsible for ensuring that each employee reporting to them has finished the compliance training.
- Managers and supervisors are responsible for informing employees that strict adherence to compliance laws, regulations, and policies are a condition of their employment.



# Policies and Procedures

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Beacon Specialized Living Services, Inc. policies and procedures are based on State and Federal law, and The Joint Commission (TJC).



# Policies and Procedures

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Employees shall not accept anything of value from any provider of health care services or products with the exception of promotional items of only nominal value.



# Policies and Procedures

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Failure to meet education and training program requirements in a timely manner will result in disciplinary action, up to and including termination.



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# Policies and Procedures

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It is every employee's responsibility to report suspected violations of the laws, regulations, and policies, or other questionable conduct.



# Policies and Procedures

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Beacon Specialized Living Services, Inc. will not knowingly employ or engage in business with anyone who is currently under sanction or exclusion from participation in federal health care programs.



# What is an ineligible person?

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Any individual or entity who is currently excluded, debarred, or otherwise ineligible to participate in Federal healthcare programs or has been convicted of a criminal offense related to the provision of health care items or services, but has not been excluded, debarred, or otherwise declared ineligible.



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# 5 Year Mandatory Exclusions

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Persons Convicted of:

- Program related crimes
- Crimes related to patient abuse/neglect
- Felony fraud convictions against healthcare programs
- Felony convictions for the illegal manufacture or distribution of controlled substances



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# Some Exclusion Statistics

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- 799 prosecutions or settlements in 2005
- 79% were healthcare cases
- In 2005 a total of 3,804 individuals and entities were excluded. Meaning they were barred from participating in Medicare, Medicaid, and other Federal and State health care programs.



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# Some Exclusion Statistics

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- In 2005, there were more than \$423 million in disallowances of improperly paid health care funds, based on HHS/OIG recommendations.



# Documentation

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Beacon Specialized Living Services, Inc. adopts and supports the CMS (HCFA) documentation guidelines. It is the physician, nurse, case managers, home managers, or direct care staff's responsibility to properly document all services in the Resident's Case Record.



# Signatures

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- The signature of the physician, nurse, case managers, therapist, or aides must be on the skilled note documents verifying that services have been provided and to support billing for services.
- Professional documentation in the resident's case record supports the bill being submitted.



# Compliance Audits

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- All billing compliance audits shall be conducted prior to billing.
- The Billing Specialist is responsible for completing pre-bill audits.



# Compliance Review Procedures

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- Assess the adequacy of billing.
- Assess the adequacy of credentialing practices.
- Continuous quality improvement measures in place and audits conducted by qualified staff.



# Audit Report Billing – Error Examples

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- Inadequate documentation to support the code billed.
- Absence of an MD order.



# Worst Case Scenario

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A breach of these Compliance procedures could cause Beacon Specialized Living Services, Inc. to become ineligible from participating in any Federal healthcare programs.



# How the Government Pays for Healthcare Services

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- **Medicare:** Managed by a branch of the U.S. Federal Department of Health and Human Services – CMH (HCFA)
- **Medicaid:** Department of Health and Human Services, subsidized through Federal and State dollars.



# Governmental Beneficiaries

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## Medicare

- The elderly, 65+
- The disabled
- Those with end-stage renal disease

## Medicaid

- State residents
- Low-income families that can't afford health insurance



# Beneficiary Statistics

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In 2007, 2.4 million individuals received homecare services from 8,100 Medicare certified agencies.



# Medicare Beneficiaries Bill of Rights

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- Assures access to needed services
- Protection against unethical practices
- Right to receive emergency services
- Right to information on all treatment options
- Right to know how the plan pays doctors
- Right to appeal decisions on payment or services offered



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# Medicare Part A

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## Pays for:

- Inpatient hospital care
- Home healthcare
- Hospice care

*Primarily financed by taxes and the Federal Insurance*

*Contributions Act (FICA)*



# Medicare Part B

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## Pays for:

- Doctors' services
- Ambulance services
- Some supplies, drugs, and medical equipment
- Lab and diagnostic services
- Some other practitioners (OT, PT, CRNA, NP)

*Primarily financed by premiums paid by enrollees.*



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# Medicare Regulations

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“No payment shall be made for services or items, which are not reasonable and necessary for the diagnosis and treatment of the person.”

“**Medically necessary**” services are defined as safe and effective consistent with symptoms/diagnosis, necessary and consistent with medical standards, and those furnished at the most appropriate levels.



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# Medically Necessary Determination

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The Medical Record must include documentation that substantiates that the provider had reason to believe that the services for which the claim (bill) was submitted were medically necessary.

Services must be ordered by a physician or other appropriately licensed individual.



# Investigations & Reviews



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# Investigation Methods

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- Letters of consent
- Subpoenas
- Unannounced surveys/audits
- Search warrants
- Requests for information



# External Investigations

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Are conducted by agencies outside of Beacon Specialized Living Services, Inc. These investigations are triggered by an accusation, utilization reports, or legislation.

- Department of Justice – FBI
- Office of Investigator General
- Center for Medicare and Medicaid Services (Formally Health Care Financing Administration)



# Responding to Requests for Information

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Before you speak with anyone, check their identification.

- Business Card
- ID Badge



You are under **NO OBLIGATION** to speak with anyone who comes to your home.

# Responding to Requests for Information

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Contact the Compliance Office immediately.

Refer all written requests to the Compliance Office.

- Subpoenas
- Letters from intermediaries
- Search Warrants



# Don't Keep Quiet!

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Report suspicious or questionable behavior to:

- Manager, department head, or administrator
- Compliance Office
- Compliance Access Line



# Non-Retribution Policy

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Beacon Specialized Living Services, Inc. **will not** take action toward anyone that reports a possible violation.

- Calls are confidential.
- Reference numbers identify the caller to allow the ability to find out more about the inquiry later.



# Reporting Activities

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The compliance office will investigate the alleged activity. If misconduct is identified, the areas in non-compliance will be educated.

The concerned reporter may be contacted about the results and subsequent actions taken.



# Office of Investigator General Official Hotline

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855-MI-FRAUD (855-643-7283) Voicemail After Hours

Office Hours: Monday – Friday 8:00AM to 5:00PM



**For more information on the Beacon's Compliance Polices or any of the information in this training, you can contact via email:**

**Beacon's Compliance Department**

**[compliance@beaconspecialized.org](mailto:compliance@beaconspecialized.org)**

