

SUBJECT: BILLING PRACTICES	REFERENCE #2001
DEPARTMENT: HOME CARE	PAGE: 1 OF: 4
APPROVED BY:	EFFECTIVE: REVISED:

**POLICY:**

- It is the policy of this organization to ensure that all of its billing practices adhere to all applicable federal, state and local laws and accreditation standards.
- The company strives to maintain current knowledge of the requirements of any payor that is billed.
- Billing and data entry personnel are informed of all applicable payment rules and regulations of all federal, state and private healthcare programs to which claims for reimbursement are submitted.
- Appropriate/correct codes are used for the items and services provided.
- There shall be appropriate documentation in the medical record to allow for accurate coding and to support the code(s) chosen.
- Coding staff shall only submit diagnostic information obtained from qualified personnel.
- All services provided shall be supported by original signed physician orders and shall reflect the medical necessity of the services.
- All codes shall accurately reflect the items, services and care provided to meet the patients' clinical status and needs.
- Compensation for coding and billing personnel, including any billing consultants, shall not provide any financial incentive to improperly upcode claims or change diagnoses to increase reimbursement.

**PROCEDURE:**

- All billing and data entry personnel, clinical supervisors and performance improvement personnel shall receive inservice training at least quarterly or more often if there is new information or changes in applicable laws, regulations and/or standards.
- Attendance at inservice training shall be documented on the inservice sign-in sheet.

## SEVEN ELEMENTS OF A CORPORATE COMPLIANCE PROGRAM

The United States Sentencing Commission Guidelines set forth seven elements an organization must meet at a minimum to be effective and that should be included in any comprehensive compliance program. Those seven (7) elements are:

- Establishment of compliance standards and procedures
  - Development and distribution of written standards of conduct
  - Policies and procedures that promote compliance and address areas of potential fraud and abuse
- Oversight of the compliance program by high-level personnel
  - Designation of a compliance officer who reports directly to the CEO and Board of Directors of the organization
  - Establishment of other appropriate systems/processes such as a compliance committee
- No discretionary authority given to individuals either known to engage in or suspected of engaging in criminal action
  - Policies addressing the non-employment or retention of sanctioned individuals
- Effective communication of the compliance standards and procedures to all employees and/or agents of the organization
  - Development of regular, effective education and training programs
- Monitoring, auditing and reporting systems which encourage the reporting of criminal conduct without retaliatory consequences
  - Implementation of a system/process such as a hotline to report and respond to allegations of improper/illegal activities
  - Adoption of policies to protect the anonymity of reporters and protect them from retaliation/retribution
  - Use of audits and other evaluative techniques to monitor compliance and reduce risk in identified problem areas
- Use of appropriate and consistent discipline of employees and/or agents who violate the compliance standards
- Appropriate response to a known violation of the compliance standards and development of corrective action plans to prevent and detect future violations

SUBJECT: CODE OF ETHICS	REFERENCE #1007
DEPARTMENT: HOME CARE	PAGE: 1 OF: 2
APPROVED BY:	EFFECTIVE: REVISED:

**POLICY:**

- This organization provides care and services in an ethical and honest manner and adheres to all applicable laws, regulations and standards. This philosophy is demonstrated in practice through due diligence in providing services, avoiding waste, and responding to the concerns of patients and staff in a timely manner.
- The organization is committed to maintaining a working environment that promotes honesty and integrity and permits our personnel, physicians and agents to demonstrate the highest ethical standards in performing their job functions and responsibilities

**CODE OF ETHICS:**

- We adhere to the highest ethical standards of business practice contributing to the economic growth and social progress of our nation and society as we conscientiously fulfill our obligations to our industry, clients, and employees
- We acknowledge as our principal objective the provision of the best possible healthcare services with the least amount of resources expended for all patients regardless of their reimbursement stream
- We acknowledge and fulfill our obligations as a equal opportunity employer.
- The organization will not discriminate against employees or agencies on the basis of race, religion, gender, sexual orientation, ethnic origin, or religious affiliations
- We observe all payroll and tax laws and protect our clients/patients and employees with insurance and bonding
- We acknowledge our obligation to screen, test, monitor, and evaluate personnel for the purpose of fully satisfying client/patient needs
- We adhere to the highest standards of integrity in managing, advertising, marketing, and performing the services we offer.
- We acknowledge our responsibility to adapt our products and services to changing needs in the healthcare field through close cooperation with professional organizations, planning agencies, and government legislative bodies.

SUBJECT: GOVERNMENT INVESTIGATIONS	REFERENCE #1032
DEPARTMENT: HOME CARE	PAGE: 1 OF: 2
APPROVED BY:	EFFECTIVE: REVISED:

**POLICY:**

- This organization and its employees will cooperate with any and all government investigations into allegations of improper conduct on the part of the organization, its employees and/or agents.
- Preservation of evidence is of primary concern during such an investigation. Therefore, any programs for the destruction of documents will be suspended immediately upon notification by the organization that such an investigation is forthcoming.
- Employees on whom there is credible evidence that they may disrupt the investigation by destroying evidence or encouraging others not to cooperate will be removed from sensitive areas of the investigation or suspended for the length of the investigation.

**PROCEDURE:**

- If government personnel present themselves at the organization office with proper identification, the CEO, Compliance Officer and legal counsel are to be notified immediately.
- Should the CEO not be on the physical premises, the Director of Professional Services/Operations Manager shall be the organization representative, and the government representatives will be seated in the conference room to await the arrival of the CEO, Corporate Compliance Officer and legal counsel.
- No information, written or verbal, shall be shared with the government investigators until directed to do so by legal counsel, the CEO or the Compliance Officer.
- All record processing, i.e., medical records, billing/finance records will be halted upon the arrival of the government investigators.
- No records shall be destroyed until notification has been received from the CEO or Compliance Officer.
- The organization's legal counsel shall conduct employee interviews in order to protect the work-product privilege and attorney-client confidentiality.

## SAMPLE COMPLIANCE PLAN

- A formal Corporate Compliance Program provides a framework of effective internal controls that promote adherence to applicable federal and state laws and regulations, and to the program requirements of federal, state and private health plans.
- Senior management and the Board of Directors of this organization believe that by adopting and implementing a voluntary Compliance Program, this will prevent fraud, abuse and waste within the organization, and reduce the organization's risk liability vulnerability, while at the same time further the organization's fundamental mission, which is to provide quality care and services to patients.
- The organization's corporate officers and managers have developed and implemented written policies and procedures to facilitate ethical and legal conduct, and have adopted a mission statement articulating their commitment to high ethical standards.
- The Compliance Program provides a central coordinating mechanism for furnishing and disseminating information and guidance on applicable federal and state statutes, regulations and other requirements.
- An effective Compliance Program contains, at a minimum, the following seven (7) elements:

- **Written Policies and Procedures**

A comprehensive Compliance Program includes the development and distribution of written compliance policies, standards and practices that identify specific areas of risk and vulnerability to the organization.

These policies, standards and practices have been developed under the direction and supervision of, and are subject to review by, the Compliance Officer and Compliance Committee.

These policies and standards are disseminated to all individuals who are affected by the particular policy at issue, including the organization's agents and independent contractors. In addition, individual customized policies have been developed for specific components of the organization.

- **Standards of Conduct**

The organization has developed standards of conduct for all affected employees that include a clearly delineated commitment to compliance by the organization's senior management and its divisions, including affiliated providers operating under the organization's control, i.e., pharmacies, other home care providers and supplemental staffing entities, as well as other healthcare professionals.