COMPLIANCE PROGRAM

Education, Training, & Support = Integrity
COMPLIANCE PROGRAM

- Code of Conduct Statement
- Compliance Officer
- Compliance Committee
- Policies and Procedures
- Training and Support
- Compliance Reporting
- Internal Auditing Process
Compliance = Our Code of Conduct Statement

- Tri-County Mental Health Services is committed to the ethical delivery of services in compliance with applicable state, federal, and local laws, applicable professional codes of conduct, and all other relevant standards.
Compliance = Open Lines of Communication

- QM Orientation
- Agency Newsletter and Bulletins
- Anonymous and Confidential Reporting
- Results of Investigations by Compliance Committee is Shared Agency Wide With All Staff
- Compliance Committee Reports to TCMHS’ Board of Directors
COMPLIANCE PLAN =
COMPLIANCE OFFICER

- Craig Owens
- 1-800-787-1155 Ext 383
- Confidential Reporting
- Anonymous Reporting
- Report by Email
- Report by Snail Mail
- Report in Person
Whistleblower’s Protection Act

- Protection of employees who report or refuse to commit illegal acts.
  - Maine Law
  - Title 26, MRSA, Section 839
Whistleblower’s Protection Act:

- It is illegal for your boss to fire you, threaten you, retaliate against you or treat you differently because:
  - You reported a violation of law
  - You reported a medical error
  - You reported a risk to someone’s health or safety
Whistleblower’s Protection Act:

- You refused to do something that will endanger your life or someone else’s life, AND
- You have asked your employer to correct it / or
- You have been involved in an investigation or hearing held by the government.
Whistleblower’s Protection Act:

- You are protected by this law ONLY if:
  - You tell your boss about the problem and allow a reasonable time for it to be corrected; or
  - You have good reason to believe that your boss will not correct the problem.
Whistleblower’s Protection Act:

- To report a violation, unsafe condition or practice, or an illegal act in your workplace contact:
  - Craig Owens, Director of Operations and the Agency’s Compliance Officer
  - At 783-4663, ext 383, or
  - 1-800-783-4663, ext 383
Whistleblower’s Protection Act:

- For more information or to file a complaint under this law, contact:
  - The Maine Human Rights Commission
  - 51 State House Station
  - Augusta Maine 04333
  - (207) 624-6050 or
  - TTY (207) 624-6040
COMPLIANCE PLAN = Compliance Committee

- Members of the Committee include:
  - direct service staff,
  - support staff,
  - Coordinators,
  - Managers, and
  - Administrative Staff.

- Functions Include:
  - Review Compliance Reports
  - Make Recommendations
  - Review of Policies and Procedures
  - Ensure HIPPA Compliance
  - Ensure Compliance to Licensing, MaineCare and Medicare Regulations
COMPLIANCE PLAN =
Our Agency Policies and Procedures

- Licensing Reviews our Policies and Procedures
- Policies and Procedures are written as required, and reviewed regularly
- Every Employee’s responsibility to read and understand the Agency Core Policies and their Unit Specific Policies
COMPLIANCE PLAN =
Training and Support

- Agency Orientation
- Unit/Program Specific Training
- MaineCare Regulations
- Written Training Materials
- QM Internal Audits for compliance and utilization of services
- Ongoing Individual Support by the QM Department
I UNDERSTAND:

- WE ARE **ALL** RESPONSIBLE
- FRAUD
- ABUSE
- WASTE
- POTENTIAL FRAUD, ABUSE OR WASTE
- IF I COULD HAVE KNOWN OR SHOULD HAVE KNOWN
COMPLIANCE = Documentation Compliance

STOP

DO NOT bill for any service until you are sure that ALL required documentation is current and in the Client record!
COMPLIANCE = Understanding the False Claims Act

Any person who knowingly presents, or causes to be presented:

- a false or fraudulent claim for payment or approval;
- knowingly makes, uses or causes to be made, a false record or statement to get a false or fraudulent claim paid or approved;
- conspires to defraud the government by getting a false or fraudulent claim paid or approved by the government;
- knowingly makes, uses or causes to be made or used a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the Government.
Compliance = Understanding the False Claim Act

- The Terms “knowing” and “knowingly” mean that:
  - A person has actual knowledge of the information;
  - Acts in deliberate ignorance of the truth or falsity of the information;
  - Acts in reckless disregard of the truth or falsity of the information; and
  - No proof of specific intent to defraud is required.
Compliance = Understanding the False Claim Act

“Knowingly” Means:

- While the False Claims Act imposes liability only when the claimant acts “knowingly” it does not require that the person submitting the claim have actual knowledge that the claim is false.

- A person who acts in reckless disregard or in deliberate ignorance of the truth or falsity of the information, also can be found liable under the Act.
Compliance = Understanding the False Claim Act

- In Summary:
  - The False Clams Act imposes liability on any person who submits a claim to the federal government that he or she knows (or should know) is false.
Compliance = Understanding Documentation Compliance

REVIEW OF THE ACKNOWLEDGEMENT STATEMENT
Documentation Acknowledgment Guidelines

- I understand that the Medicare and MaineCare requirements for reimbursement state that no services will be reimbursed without a current treatment/service plan with reviews completed no less often than every 90 days.

- I also understand that to provide services or to submit documentation which produces a charge for services to MaineCare and/or Medicare without a current treatment/service plan is considered fraudulent, as well as being outside the policies and procedures at TCMHS.
Documentation Acknowledgment Guidelines

- I understand that I must document every service provided to the client, complete with the date of service, duration of service, type of service, and progress toward the Client’s treatment/service plan goals;
- and that I must sign my full name with credentials and ensure that my documentation is legible.
Documentation
Acknowledgment Guidelines

- I understand that these requirements are not only Medicare and MaineCare regulations, but also licensing standards and the policies and expectations of Tri County Mental Health Services for all their clients regardless of payer source.
Documentation Acknowledgment Guidelines

- I further understand that failure to adhere to these guidelines and the documentation requirements outlined in TCMHS policies and procedures may result in disciplinary action, up to and including termination.
SUMMARY:

- REPORT ANY SUSPECTED FRAUD, ABUSE, WASTE, OR
- ANY POTENTIAL FRAUD, ABUSE, WASTE,
- REMEMBER YOU ARE PROTECTED
- YOU CAN REPORT ANONYMOUSLY TO OUR COMPLIANCE OFFICER, AND
- YOU HAVE THE RIGHT TO REPORT TO THE FEDERAL OR STATE GOVERNMENT, AND BE SURE THAT:
- YOUR COORDINATORS, MANAGERS, DIRECTORS ARE ALL HERE, AVAILABLE, AND INTERESTED IN YOUR CONCERNS!!!