

Tufts Medicine Care at Home Orientation Corporate Compliance and Privacy Program



According to CMS Health care fraud is a serious problem

- ▶ **Fraud** includes obtaining a benefit through intentional misrepresentation or concealment of material facts
- ▶ **Waste** includes incurring unnecessary costs as a result of deficient management, practices, or controls
- ▶ **Abuse** includes excessively or improperly using government resources



Laws

- ▶ False Claims Act
- ▶ Civil Monetary Penalties
- ▶ Anti-Kickback Statute
- ▶ Gift-Reporting
- ▶ Physician Self-Referral Statute
- ▶ Exclusion Statute
- ▶ SOX
- ▶ HIPAA/HITECH



False Claims Act

A person wearing a grey suit jacket is shown from the back, with their right hand tucked behind their back. This gesture is commonly associated with deception or hiding something, which aligns with the theme of the False Claims Act.

Prohibits the submission of false or fraudulent claims to the Government

Civil Monetary Penalty If:



- **Knowingly presents or causes to be presented, a false or fraudulent claim record or statement for payment or approval**
- **Conspires to defraud the government by getting a false or fraudulent claim allowed or paid**



**Risks: Incorrect Coding,
Inaccurate or late record
documentation**

Civil Monetary Penalties Law



**Penalties range from \$10,000 to \$50,000
per violation**

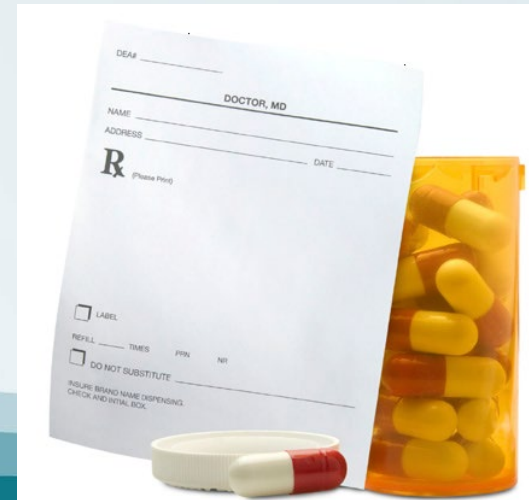
Anti-Kickback Statute



Prohibits asking for or receiving anything of value in exchange for referrals of Federal health care program business

Regulators believe Kickbacks can lead to:

- Over-utilization
- Increased costs
- Corruption of medical decision making
- Patient steering
- Unfair competition



Gift reporting requirements



Exclusion from Medicare and Medicaid



Tufts Medicine Care at Home will not knowingly employ or engage in business with anyone who is currently under sanction or excluded from Federal Health Care Program participation

SOX (The Sarbanes-Oxley Act of 2002)

- Protect shareholders and the general public from accounting errors and fraudulent practices
- The Sarbanes-Oxley Act states that all business records, including electronic records and electronic messages, must be saved for "not less than five years."
- The consequences for non-compliance are fines, imprisonment, or both.

Compliance programs keep you on track

A red high-speed train is captured in motion, crossing a road. The train is blurred, indicating speed. In the foreground, a red and white striped barrier is visible, partially obscuring the train. The background shows a blue sky with scattered white clouds and a green field.

**Compliance Guidance:
OIG has published
recommendations for
healthcare entities to craft
their compliance programs**

What Makes for an Effective Compliance & Ethics Program?



OIG Believes COMPLIANCE PROGRAMS

- ▶ Reduce the risk of unlawful or improper conduct
- ▶ Establish an effective method to assess and manage risks
- ▶ Reduce the potential for civil suits, liability if violations occur, and financial and other costs of litigation
- ▶ Establish a structure to disseminate legal and policy changes quickly
- ▶ Establish a mechanism for employee training thereby increasing their awareness and decreasing the possibility to breach the law.



Tufts Medicine Care at Home

Our Commitment

Tufts Medicine Care at Home is fully committed to an effective and successfully implemented Compliance Program and ensures the development of written standards of conduct and policies and procedures promoting ensuring commitment to compliance of relevant laws.

Our Goals

1. Assure bills are complete and accurate
2. Supply adequate documentation to support services billed
3. Detect wrongdoing and take corrective measures
4. Promote ethical behavior

Employee Compliance Screening

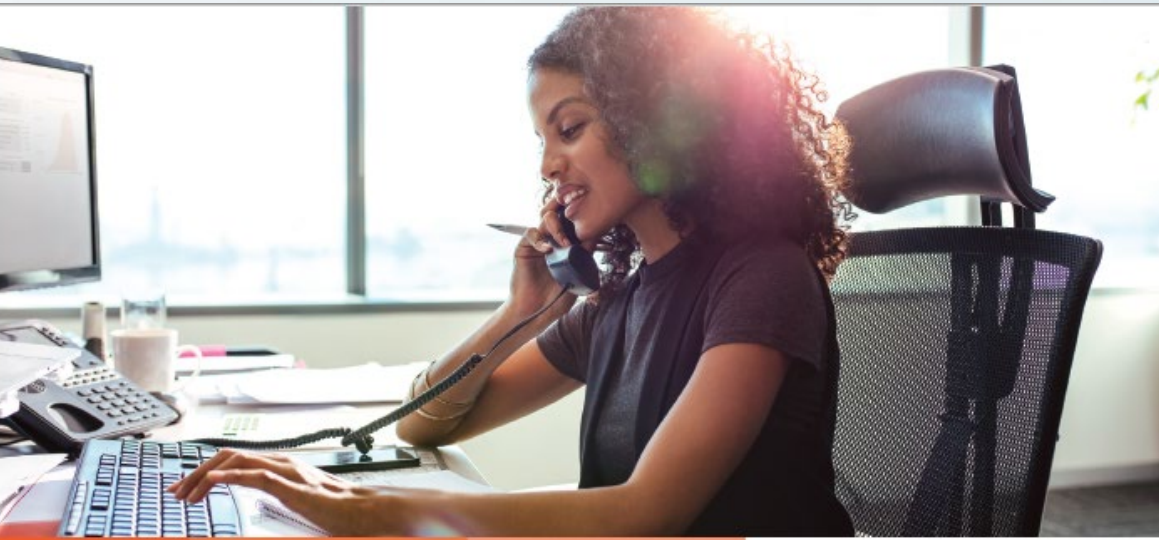
Tufts Medicine Care at Home ensures the National Practitioner Data Bank and Cumulative Sanction Report are checked with respect to all job candidates and employees on an annual basis. If listed, the person will usually not be hired or retained.



Compliance Training

- ▶ Compliance Awareness
- ▶ Job Specific Training
- ▶ All supervisors must ensure staff have completed training





Compliance begins with you!

Confidential Hotline Reporting

Speak up if you have concerns about:

- Billing for services, treatment, or supplies not necessary or provided
- Conflict of Interest
- Falsification of contracts, reports or records
- HIPAA violations
- Sexual harassment or discrimination
- Unethical behavior or misconduct
- Other questionable concerns or conduct

Tufts Medicine

How to report or ask a question

All reports can be made anonymously and confidentially through the Tufts Medicine's Hotline options 24/7.



Phone

833 66 TUFTS
833.668.8387



Email

compliance@tuftsmedicine.org



Web

tuftsmedicine.ethicspoint.com



QR Code

Reporting Compliance Issues

Every employee has an obligation to make a good faith report of any activity within the agency that appears to violate compliance policies, procedures or statutes.

An employee may report compliance issues by contacting:

- Their supervisor
- Donna Beaudin CCO – x - 4756
- Compliance Hotline at 833 66 TUFTS

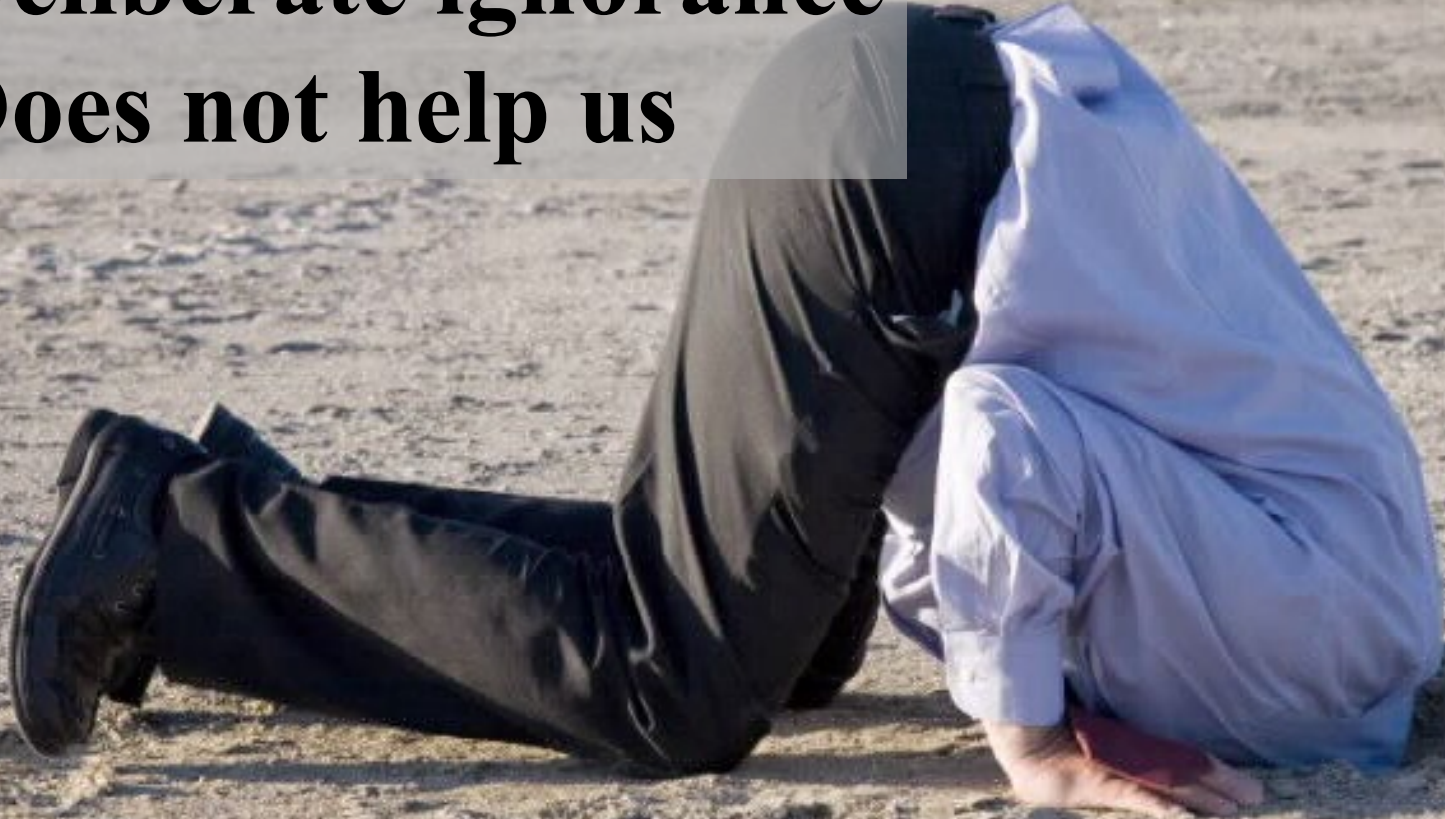
QUI TAM - Protection



Non-Retaliation Policy

Tufts Medicine Care at Home will not take action toward anyone that reports a possible violation

**Deliberate ignorance
Does not help us**



**External Investigation
(OIG, DOJ, CMS,
NGS, RAC, CERT)**

Protected Health Information HIPAA/HITECH



HIPAA Video

https://www.youtube.com/watch?v=DeACY_nYl8s

Remote Worker Security Video

<https://www.youtube.com/watch?v=NM9sCGqrpFo>