



## Policies and Procedures

<b>Policy Title</b> Compliance Monitoring and Oversight			
<b>Department Responsible</b> Compliance and Integrity	<b>Policy Code</b> THN – 1.25	<b>Effective Date</b> May 2016	<b>Next Review Date</b> May 2017
<b>Title of Person Responsible</b> Compliance Officer	<b>Approval Council</b> Triad Healthcare Network Board of Managers		<b>Approved Date</b> May 24, 2016

### PURPOSE

Part of an effective compliance and integrity program is having an effective monitoring and oversight element. The purpose of this compliance monitoring and oversight policy is to provide the foundation for how Triad Healthcare Network, LLC (THN) and Accountable Care Organization (ACO) will monitor and audit THN’s compliance with federal and state laws, regulations, policies and procedures, including, but not limited to, the Centers for Medicare and Medicaid Services (CMS) ACO’s.

### DEFINITIONS

TERM	DEFINITION
ACO Participant	An entity identified by a Medicare-enrolled billing TIN through which one or more ACO providers/suppliers bill Medicare, that alone or together with one or more other ACO participants compose an ACO, and that is included on the list of ACO participants that is required under 42 C.F.R. § 425.118.
ACO Provider/Supplier	An individual or entity that: (1) is a provider or supplier under Medicare regulations; (2) is enrolled in Medicare; (3) bills for items and services furnished to Medicare fee-for-service beneficiaries during the agreement period under a Medicare billing number assigned to the TIN of an ACO participant; and (4) is included on the list of ACO providers/suppliers that is required under 42 C.F.R. § 425.118.

### POLICY

THN shall develop, implement, and maintain ongoing monitoring and oversight to help ensure the effective implementation of its Compliance and Integrity Program and compliance with federal and state laws, regulations, policies, and procedures. At a minimum, it must have a compliance plan that consists of:

- Written policies and procedures;
- Designation of a compliance officer and compliance committee;
- Effective education and training;
- Effective lines of communication;
- Enforcement of standards through well publicized disciplinary guidelines;
- Procedures for effective internal monitoring and auditing;
- Procedures for ensuring prompt responses to detected offenses; and
- Development of corrective action initiatives, and a comprehensive fraud, waste and abuse plan.



## **RESPONSIBILITIES**

The Compliance and Integrity Office is responsible for the monitoring and oversight of the regulatory compliance requirements associated with THN's ACO. The following oversight activities are conducted:

### **A. Business Conduct and Standards**

1. Oversee the development, review and revision of company policies, and monitors the periodic development and revision of functional area procedures applicable to the ACO.

### **B. Compliance Officer, Compliance Committee, Governing Body**

1. Facilitate the development, review and submission of at least quarterly compliance reports presented by the compliance officer to THN's Compliance and Integrity Committee and at least quarterly to its Board of Managers.

### **C. Effective Training and Education**

1. Establish, implement and provide effective annual training and education, including fraud, waste, and abuse (FWA) for the Board of Manager, employees, ACO Participants, ACO Providers/Suppliers, and other acting on behalf of THN (Workforce).
2. The workforce must at a minimum, receive general compliance training within 90 days of initial hiring/election, and annually thereafter. The workforce who have involvement in the administration or delivery of THN must, at a minimum, receive FWA training within 90 days of initial hiring or contracting, and annually thereafter.
3. In addition, training records (e.g. attendance, topic, certificate of completion and/or test scores) must be maintained for 10 years, and there must be a strategy to monitor and audit ACO Participants and Providers/Suppliers, and it must describe the requirements, including FWA risks related to job functions, and educate members about the identification of FWA.

### **D. Effective Lines of Communication**

1. Provide effective methods to communicating information from the compliance officer to the workforce (as applicable) within a reasonable timeframe, including changes in federal and state laws, regulations, sub-regulatory guidance, as well as changes in the Code of Conduct and policies and procedures.
2. Promote methods to report suspected or actual misconduct (e.g. helpline), including FWA and the non-intimidation and non-retaliation policy and allowing for the anonymous reporting and maintaining confidentiality to the extent possible.
3. Respond as appropriate to external inquiries for information from CMS, Office of Inspector General (OIG), General Services Administration (GSA), and others acting on behalf of CMS.
4. Collaborate with business partners to provide accurate, consistent, and timely responses to inquiries.

5. Receive and review periodic reports from business partners on the status of CMS communications, instructions, and the submission of required attestations, certifications, and reports.
6. Communicate general compliance information to its ACO Participants and Providers/Suppliers through electronic bulletins that refer recipients to the compliance resources on the website. The site contains the Code of Conduct, compliance policies and procedures and training and education.

#### E. Effective System for Routine Monitoring, Auditing, and Identification of Compliance Risks

1. Maintain a system of ongoing monitoring and auditing to test and confirm compliance with regulations, sub-regulatory guidance, contractual agreements and all applicable federal and state laws.
2. Annually, perform a compliance program risk assessment with input from areas like internal audit, special investigations, leadership, and business partners.
3. Conduct monthly vendor monitoring.
4. Review the OIG and System for Award Management exclusion lists for the workforce prior to hiring or contracting and monthly thereafter.
5. Annually, initiate a compliance program audit. The audit must be conducted by personnel trained in compliance. The results of the audit will be shared with the Board of Managers.
6. Participate in the Corporate Compliance and Integrity Committee, which is chaired by the compliance officer, to review items of potential non-compliance and receive updates from business areas on remedial actions taken to reduce non-compliant activity.

#### F. Enforcement

1. Respond to alleged violations received internally or externally.
2. Determine appropriate corrective actions including, but not limited to, modification of policies, manuals, processes, or disciplinary actions.
3. For those issues related to probable violations of law, THN will work with its Legal Counsel to report to the appropriate law enforcement agency.

#### G. Oversight

1. Work with management in business areas to minimize or eliminate compliance risks associated with the MA and PDP products.

#### H. Governance and Reporting

1. Report the progress against plan, audit findings, potential FWA statistics, and compliance issues to the Corporate Compliance and Integrity Committee, and the Board of Managers, at least quarterly.

### **REFERENCE DOCUMENTS/LINKS**

42 CFR 425.300  
42 CFR 425.304  
42 CFR 425.314  
42 CFR 425.316



**ATTACHEMENT**

N/A

**PREVIOUS REVISION/REVIEW DATES**

Date	Reviewed	Revised	Notes
N/A	N/A	N/A	This is a new policy.