

Compliance & Privacy Annual Education

**Audit & Compliance Services
2016**

Welcome to Compliance & Privacy

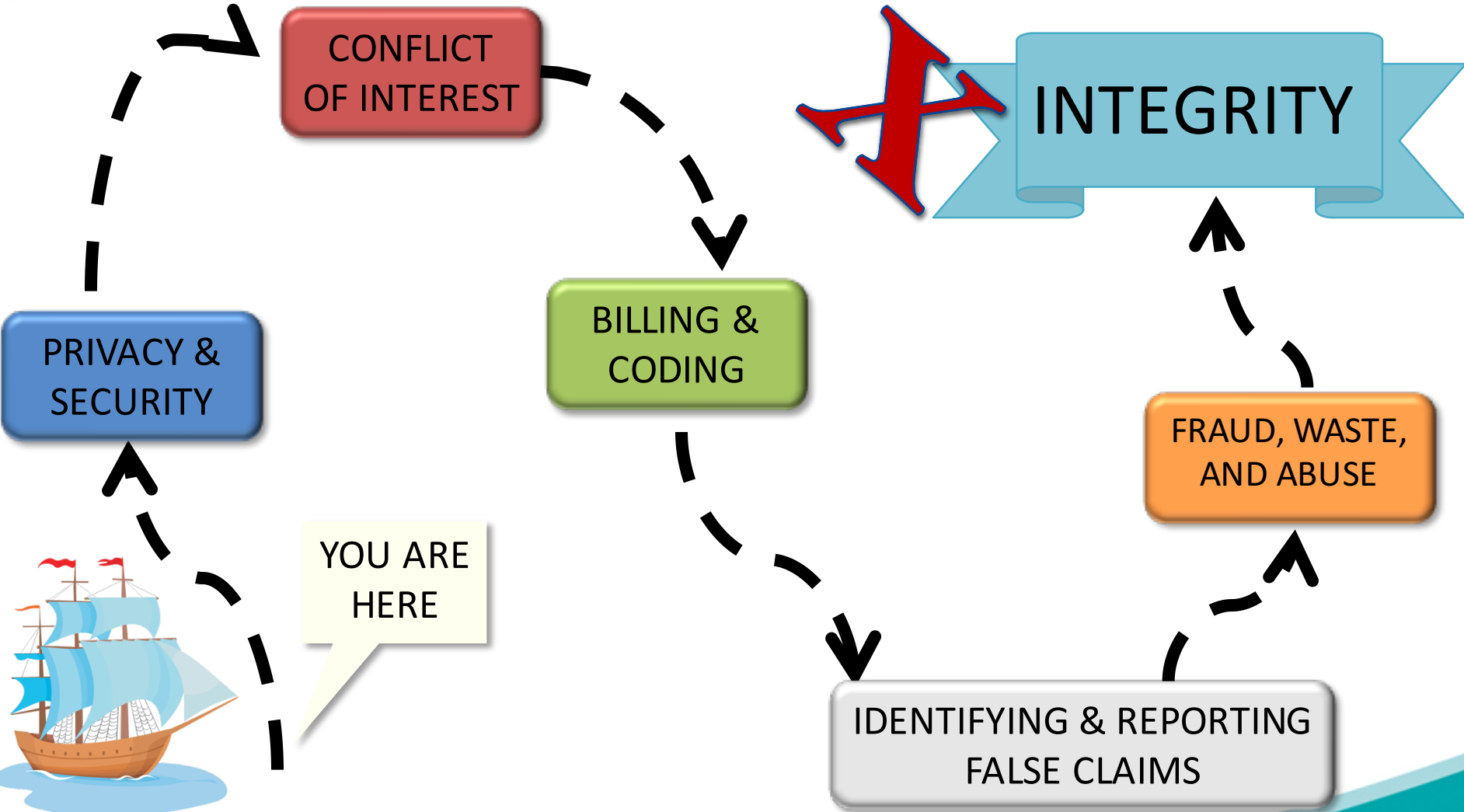
The goal of this course is to explore Cone Health's compliance and privacy program and provide information that all team members are expected to know to protect our patients, our visitors and ourselves.

Learning Objectives:

When finished with this course, you should be able to:

- Explain the importance of a compliance program and the key elements of the Cone Health Code of Conduct
- Discuss compliance concepts and policies, laws and regulations that apply to your role
- Discuss patient privacy rights and how to keep patient information private and confidential
- Describe how and when to use, disclose and protect patient information
- Identify how to report a privacy or compliance concern through the Compliance & Privacy Helpline or online

Your Map to Integrity: Critical Compliance Concepts



YOU ARE HERE

Code of Conduct

Cone Health's Code of Conduct is an important resource for all team members

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- False Claims Identification and Reporting
- Admissions, Treatments and Referrals
- Community Involvement and Political Activities
- Government Officials and Regulatory Agencies
- Marketing and Media Inquiries
- How to Get Help
- Compliance Education and Training
- Reporting Process

(click on book and then get the code of conduct)



HIPAA Privacy and Security

HIPAA (The Health Insurance Portability and Accountability Act) is a federal law passed in 1996 that gives patients important rights with regard to their protected health information.

Privacy Rule

- Provides federal protections for protected health information and gives patients rights with respect to that information.
- Permits the disclosure of protected health information needed for patient care (treatment) and other purposes such as payment and healthcare operations.

Security Rule

- Specifies a series of administrative, physical, and technical safeguards to ensure the confidentiality, integrity, and availability of *electronic* protected health information

Do You Have a TPO Need-to-Know? Three HIPAA-Recognized Purposes

T

Treatment – Your job is to treat the patient as his/her nurse, doctor, therapist or other clinician.

P

Payment - Your job is to process the patient's billing information so CHS can receive payment for services rendered.

O

Healthcare Operations - Your job is to conduct quality assurance reviews, credentialing, auditing or other business activities requiring review of patient information.

Resist Curiosity- It's Not Worth It!

- Accessing patient information without a valid Treatment, Payment or Operations reason is a serious offense.
- Every access to the patient record is tracked and can be audited
- Using someone else's login is a violation of policy and can result in disciplinary action, including end of employment
- Cone Health may have to notify patients whose information is accessed inappropriately
- Team members who inappropriately access patient information will lead to disciplinary action, including end of employment

We Protect the Privacy of Our Patients



Before having a conversation with the patient about their health information when visitors are present in the room

- Ask everyone to leave (A patient sharing the room can stay)
- The patient can tell you who should return to the room



Before giving family, friends and others protected health information about the patient when the patient is alert & oriented

- Has the patient given permission?
- If not, ask the patient if it is OK?



Before giving family, friends and others protected health information about a patient when the patient is not alert & oriented

- Is there a signed healthcare power of attorney?
- Is next of kin (wife, parent, adult child) present to give permission?
- If healthcare power of attorney and the next of kin is not available, in an emergency situation the healthcare provider may share or discuss health information if in his “professional judgement” it is in the patient’s best interest

Inappropriate Access & Disclosure: Common Non-Compliant Practices

- Accessing medical information belonging to a friend, co-worker, relative, etc. when you are not involved in that person's care
- Informing a friend or relative of a patient's presence at your facility
- Leaving your work station unattended
- Sharing your password so that someone else may use your access rights
- Improperly disposing of PHI



The internet is a public domain, and social networking sites are a hotspot for HIPAA violations. You have an obligation to safeguard PHI regardless of the setting, so do not post any identifying information about patients (including images) online!

Conflict of Interest

A conflict of interest occurs when a relationship, influence or activity impairs, or even gives the appearance of impairing, one's ability to make objective and fair decisions in the performance of his/her job.

The following would be considered conflicts of interest.

Using Cone Health property or supplies for personal use

Owning (directly or indirectly) a company that is a competitor or a supplier for Cone Health

Accepting gifts (unless of minimal value) from people doing business or who want to do business with Cone Health

Hiring or contracting with family members to provide goods or services

If you are see a potential conflict of interest, please call the Compliance & Privacy Helpline at 1-855-809-3042 or report online at www.conehealth.ethicspoint.com

Fraud, Waste and Abuse

What is fraud, waste and abuse?

Fraud	<ul style="list-style-type: none">• Knowingly carrying out, or planning to carry out, fraud against any healthcare benefit program (Medicare or Medicaid)
Waste	<ul style="list-style-type: none">• Overusing services that result in unnecessary costs to the Medicare and Medicaid Programs
Abuse	<ul style="list-style-type: none">• Carrying out actions that may cause unnecessary costs to the Medicare and Medicaid Programs

What is the difference between fraud and waste/abuse?

Fraud	vs.	Waste/Abuse
Fraud requires the person to have the goal (intent) to get payment and the knowledge that his/her actions are wrong.		Waste/abuse may result in an improper payment, but does not require intent and knowledge .

What are potential consequences of fraud, waste, and abuse?

Federal and State laws and regulations and Cone Health policies and procedures help prevent and detect potential fraud, waste and abuse. In addition to fines and criminal penalties, fraud or noncompliance has consequences for Cone Health and teammates, including:

- Loss of provider licensure
- Exclusion from participation in federal healthcare programs
- Damage to reputation
- Possible jail time

Identifying and Reporting False Claims

It is against the law for a health care provider to submit fraudulent or false claims for payment to programs that are funded by federal or state governments, such as Medicare and Medicaid.

Under the Federal False Claims Act, individuals who knowingly submit false claims for payment by the U.S. government are subject to fines and penalties. North Carolina also has a False Claims Act.

Employees are required to report known or suspected false claims immediately. Employees who report are protected from retribution/retaliation by Cone Health Policy.

A person (whistleblower) who suspects a false claim may file a lawsuit on behalf of the government and potentially receive a reward for bringing original information to the government's attention.

A **false claim** is a fraudulent request for money. Two examples include:

- Billing Medicare for services a patient never received
- Upcoding procedures to obtain higher reimbursement



Billing and Coding

Billing Correctly and Legally

- Cone Health bills only for care and services provided that are properly authorized and documented as medically necessary
- It is Cone Health's policy to refund any overpayments made as a result of billing errors*

*The Patient Protection and Affordable Care Act (PPACA) requires identified overpayments to be reported, including explanation as to the reason for the error.

Documenting Correctly

- Correct documentation is important in all aspects of healthcare
- System records are to be readable, timely and have properly dated signatures
- Back-dating and incorrect use of copy/paste in electronic medical records is not allowed
- Remember, if it's not properly documented, it's difficult to support what we're billing!

Compliance & Privacy Helpline

Makes reporting compliance, integrity, and privacy concerns
simple and straightforward.

Just pick up the phone and call!

- Speak with a live person
- Multiple language support
- Available 24/7/365
- Anonymous if you choose
- No caller ID or tracing

You may also report online

www.conehealth.ethicspoint.com



1-855-809-3042

Types of Issues to Report Compliance & Privacy Helpline

“Cone Health wants to make it clear that you can raise concerns without any fear that you will be disciplined or terminated for doing the right thing. We only ask that you tell the truth as you understand it.”



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1-855-809-3042

Accounting and Financial

- Accounting and Auditing Matters
- Billing and Coding Issues
- Securities Violations

Compliance with Laws and Standards

- Emergency Medical Treatment and Fair Labor Act (EMTALA) Matters
- Excluded/Sanctioned Provider Matters

Confidentiality

- Disclosure of Confidential Information
- Health Insurance Portability and Accountability Act

Fraud and Theft

- Conflict of Interest
- Embezzlement
- Falsification of Contracts, Reports or Records
- Theft

Gifts and Donations

- Gifts and Entertainment
- Improper Lobbying or Political Contribution

Misuse of Company Resources

- Unauthorized/Fraudulent Use of Company Facilities and Equipment- The misuse/abuse of Company Support Services, equipment, or assets.

Physician Relations

- Physician Payment and Referral Concerns- Concerns specifically related to physician payments/benefits and/or payment for referrals. (Examples include: paying a provider to refer patients to a facility, paying physicians more than fair market value for services provided, paying a provider without an executed contract, awarding a benefit to a physician that may violate the Stark regulations, etc.)

Please continue to use the Safety Zone Portal for reporting incidents other than HIPAA privacy and compliance concerns (e.g. quality, safety, disruptive behavior, etc.).

Reporting Process

Cone Health encourages employees to ask questions and report any compliance and/or privacy concerns so that they may be investigated and addressed. Employees who report known or suspected concerns in good faith are protected from retribution or retaliation by Cone Health Policy.

How to Use the Cone Health Reporting Process

If you would like to report a potential compliance issue,
talk with your leader.

If the issue concerns your leader, or if you are uncomfortable
discussing it with your leader,
talk with your higher level leader.

If you are still uncomfortable discussing it, contact:



For Human Resource Issues:

Cone Health Human Resources Department

For Compliance and Privacy Issues:

The Compliance & Privacy Helpline
1-855-809-3042

*You do not need to use the reporting process in chronological order;
you choose the method of reporting.

You've completed the presentation

Proceed to the test
and
attestation statement

Review
CONE HEALTH'S CODE OF CONDUCT