



Y-Comply: Compliance Makes A Difference

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Every organization, its programs, and workforce have standards to meet. The definition of a standard according to *Webster.com* is:

1. A level of quality, achievement, etc., that is considered acceptable or desirable.
2. Something that is very good and that is used to make judgments about the quality of other things.
3. Something set up and established by authority as a rule for the measure of quantity, weight, extent, value, or quality.

There are also standards for compliance and ethics programs. If those standards are met, it can make a tremendous difference.

The standards established for the structure of an effective compliance program are outlined in *The 2011 Federal Sentencing Guidelines (FSG) Manual*, Chapter Eight for Effective Compliance Program and Ethics Programs. Each of the elements defined in the FSG has measurements associated with it. The guidelines and measurements help judges to determine how well the compliance and ethics element/standard was met, or not met, and what the consequence will be. Although the elements are often referred to as the “seven elements of a compliance program,”* for the sake of this discussion, the elements are broken down further to highlight each aspect addressed in the FSG.

Governance and high-level oversight refers to the board of directors receiving reports about compliance program activities. The members of the board must demonstrate knowledge and oversight of the program. A high-level person (a compliance officer who has proper authority and reporting responsibilities) is designated to oversee the compliance program.

Establish standards refers to maintaining and publishing policies, procedures, and a code or standard of conduct that address the risks of doing business and the expectations for the conduct of the workforce.

Create a fair and ethical culture refers to establishing incentives tied to performance for the workforce, including leadership, to help create a tone where “doing the right thing” is evaluated and rewarded.

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*See also CMS’ MMCM Chapter 21 & PDBM Chapter 9.

Continuation... Y-Comply: Compliance Makes A Difference...

- **Education and training** refers to conducting training programs that cover regulatory requirements, the roles of the workforce, and areas of risk, including fraud, waste, and abuse.
- **Detection, remediation, and enforcement** refers to screening employees to ensure they have not been involved in criminal activity, establishing sanctions for non-compliance with organizational standards and the law, taking immediate action to address misconduct, and making corrective actions to prevent recurrence.
- **Auditing and Monitoring** refers to ongoing testing of controls established to minimize risks and ensure controls are working.
- **Risk assessment** refers to finding and evaluating operational and organizational risks and taking steps to minimize those risks.
- **Assessment of effectiveness** refers to evaluating the compliance program elements and how well they are being met.

If you suspect compliance, ethics, or integrity violation, or have questions about specific practices, please use the following resources:

- Talk to your Supervisor or Manager
- Call the Care1st HOTLINE at 1-877-837-6057. Anonymous. Available 24/7. Trained Professionals. Toll-Free

- Contact the Compliance Department at ComplianceSIU@care1st.com or ComplianceDepartment@care1st.com
- Call the Corporate Compliance Officer, Brooks Jones, CHC, at extension 6202
- Call the Corporate Compliance Director Janet F. Eisenberg, at extension 6476
- Call Ellen Smart, AVP, Human Resources at extension 6203