

Y-Comply: Leaders' Influence Helps Others Achieve Compliance Goals

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The last *Y-Comply Compliance Bulletin* outlined all of the elements of an effective compliance and ethics program as defined by the Federal Sentencing Guidelines (FSG). The element known as "Governance and high-level oversight" is being covered with this issue.

The FSG states that an organization's governing authority shall be knowledgeable about the content of the compliance and ethics (C&E) program and exercise reasonable oversight with respect to the implementation and effectiveness of the program. This is the role of an organization's (Care1st's) board of directors.

The FSG further states that a specific individual within the organization/Care1st will be delegated the operational responsibility for the C&E program and report periodically on the effectiveness of the program to high-level personnel and, as appropriate, to the governing authority (board of directors) or subgroup of the

governing authority.

Essentially, the FSG is saying that the C&E program must be supported and led by the organization's (Care1st's) leadership. Rather than focus on the board's role, the focus will be on how the Compliance Officer can best achieve implementation of an effective C&E program with management's support. One of the most effective ways an organization (Care1st) can weave compliance and ethics into its fabric [or "bake" compliance into operational areas] is to prioritize the work, as it does with other projects and programs, and that is through a strategic plan.

The strategic plans have defined goals that have to be measured, reported on, and met with a timeframe. The intent of the strategic plan and goals is to help the organization (Care1st) fulfill its mission, achieve growth, and/or improve results. Individual (s) on the management team are typically responsible for driving

the goals, and they are evaluated by how well they performed and met or didn't meet those goals. Some of the goals will be assigned to workforce members at every level of the organization, and they too are evaluated on how well they met the performance expectations.

Although management is typically identified as those who drive results and management is whom we think of as the leadership within the organization, **WE CAN ALL BE LEADERS AND DRIVE RESULTS. IF SOMEONE IS ABLE TO HELP INFLUENCE RESULTS BY HELPING OTHERS ACHIEVE A GOAL, THEN THEY ARE A LEADER. WE CAN ALL TAKE THE INITIATIVE TO INFLUENCE OTHERS, ACHIEVE RESULTS TO HELP GROW OR IMPROVE PROGRAMS AND SYSTEMS WITHIN OUR ORGANIZATION, AND CHALLENGE POOR OR WRONG BEHAVIORS. BEING A LEADER IS NOT JUST ABOUT POSITION OR POWER. IT IS ABOUT HOW WE INFLUENCE OTHERS TO HELP ACHIEVE GOALS IN A RIGHT WAY.**

REMINDER: The Seven (7) Elements of A Compliance Program

1. Element I— Written Policies, Procedures and Standards of Conduct [Care1st's Standards of Conduct, Policies & Procedures, and Distribution of Standards of Conduct to Employees and Contracted Entities or "FDRs."]
2. Element II— Compliance Officer, Compliance Committee and High Level Oversight [Care1st's Compliance Officer, Compliance Committee, Board of Directors, and Senior Management]
3. Element III— Effective Training and Education [General Compliance, Fraud, Waste, and Abuse (FWA), and Departmental (e.g., Member Services, Claims, Appeals, Grievances, Utilization Management, QM/QI, Marketing, Pharmacy, Enrollment, etc.)]
4. Element IV— Effective Lines of Communication [Among the Compliance Officer, Compliance Committee, Employees, Board of Directors, and FDRs; Communication and Reporting Mechanisms; and, Enrollee/Member Communications and Education]
5. Element V— Well-Publicized Disciplinary Standards [Disciplinary Standards, Methods to Publicize Standards, and Enforcement of Standards]
6. Element VI—Effective System for Routine Monitoring, Auditing, and Identification of Compliance Risks [Development of monitoring / auditing work plans, a system to identify compliance risks, audit schedule and methodology, auditing / monitoring FDRs, audit of Care1st's C&E Program, OIG/GSA Exclusion List, and Special Investigation Unit (SIU)]
7. Element VII—Procedures and System for Prompt Response to Compliance Issues [Conducting a Timely & Reasonable Inquiry or Investigation of Detected Offenses, Corrective Actions, and Procedures for Self-Reporting FWA & Significant Non Compliance, Referrals to State & Federal Regulatory Agencies (e.g., CMS, DMHC, DHCS, NBI MEDIC), Responding to State & Federal-Issued Fraud Alerts, and Identifying Providers with a History of Complaints]

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 Compliance-SIU@care1st.com or ComplianceDepartment@care1st.com
- Call the Corporate Compliance Officer, Brooks Jones, CHC, at extension 3202
- Call the Corporate Compliance Director Janet F. Eisenberg, at extension 3476
- Call the Compliance SIU Supervisor, Rosario Vaquera, at extension 3757
- Call Ellen Smart, AVP, Human Resources at extension 3203