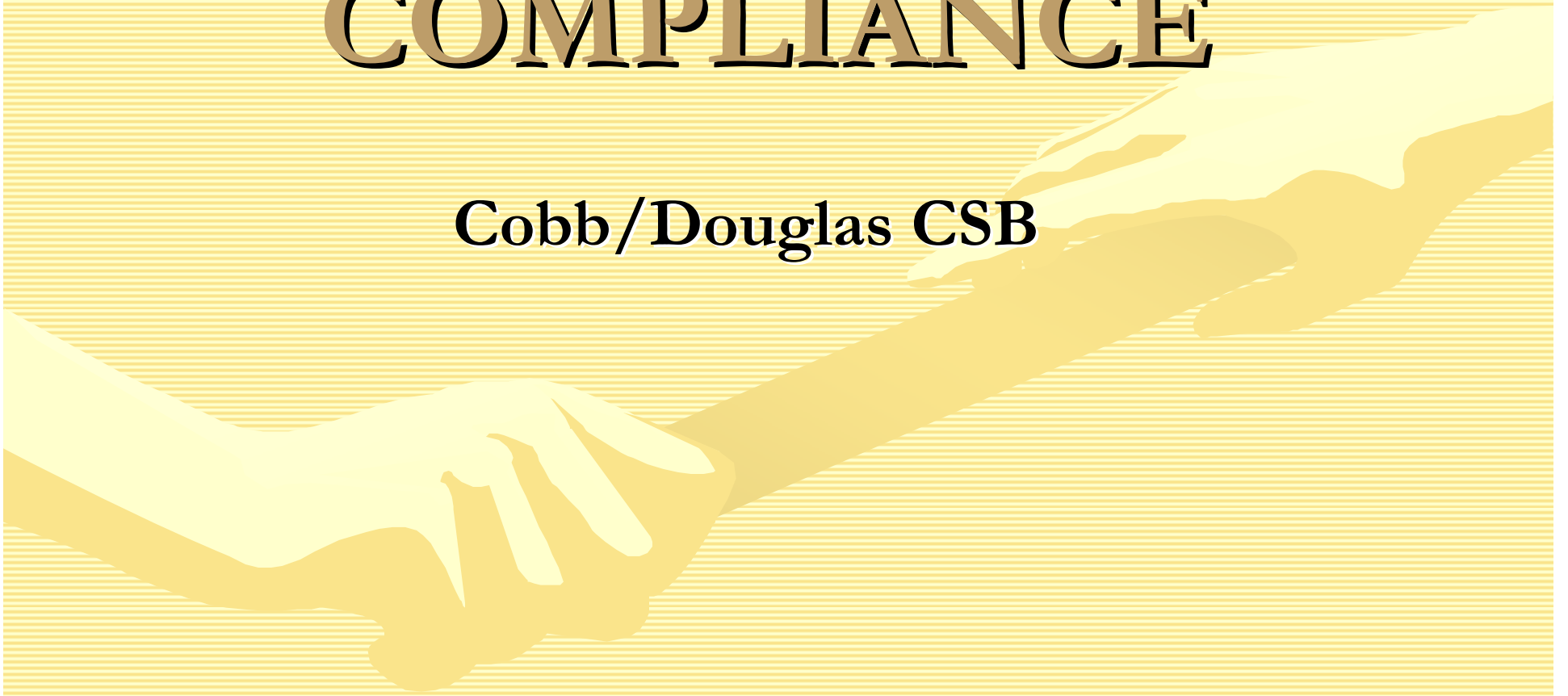


ETHICS AND COMPLIANCE

Cobb/Douglas CSB



What is the meaning of “COMPLIANCE” ?

Regulatory compliance

refers to systems or departments at corporations and public agencies to ensure that personnel are aware of and take steps to comply with relevant laws and regulations.



COMPLIANCE GUIDES

COMPLIANCE GUIDE FOR LEADERS AND MANAGERS

- ✦ Leaders and managers should be knowledgeable about the content and operation of the compliance and ethics program.
- ✦ Leaders and managers must perform their duties in a manner consistent with the exercise of due diligence.
- ✦ Leaders and managers should promote an organizational culture that encourages ethical conduct and a commitment to compliance with the law.

COMPLIANCE GUIDE FOR EMPLOYEES

- ✦ Employees should be knowledgeable about the content and operation of the compliance and ethics program.
- ✦ Employees must perform their duties in an ethical and legal manner consistent with all policies, rules and regulations governing the CSB.
- ✦ Employees must report behaviors and/or actions which they believe are not compliant with the laws and regulations that govern their work or the work of others.



HIGH RISK AREAS

In Compliance are:

Documentation

coding

BILLING

Tell me again about the compliance focus at Cobb/Douglas

- Documentation in the client's record is coded for billing purposes.
- Documentation must support the claim submitted for payment of the services.
- The Office of the Inspector General's guidance clearly requires that auditing and monitoring activities are essential for an effective compliance program.



ETHICS



What do we mean when we use the word “ethics” within our provision of behavioral health services to the public?

There are a variety of types of ethics that are applicable to our organization and our staff.

Business or Corporate Ethics

Internal policies pertaining to the ethical conduct of Employees and are generally meant to identify the company's expectations of staff and to offer guidance on handling some of the more common ethical problems that might arise in the course of doing business.



Human Resource Management Ethics

The ethics of Human Resource Management (HRM) covers those ethical issues arising around the employer-employee relationship, such as the rights and duties owed between employer and employee.



Professional Ethics

Professional ethics covers the myriad of practical ethical problems and phenomena which arise out of specific functional areas of companies or in relation to recognized business professions.

The most common at the CSB is the ethical codes of conduct of the various professions represented by our clinical staff.

DUTY TO REPORT

NEW INFORMATION AND REQUIREMENT

Our compliance policy is based on the Federal False Claims Act (USC 3729-3733)

There is currently no similar Georgia Law

The Act includes the Whistleblower (qui tam) provision – **NO** retaliation.



What is the False Claims Act & Why is it Important?

- The False Claims Act is the single most important tool U.S. taxpayers have to recover the billions of dollars stolen through fraud by U.S. government contractors every year.
- Under the False Claims Act those who knowingly submit, or cause another person or entity to submit, false claims for payment of government funds are liable for three times the government's damages plus civil penalties of \$5,500 to \$11,000 per false claim.
- The False Claims Act explicitly excludes tax fraud.



Types of Fraud Prosecuted Under the False Claims Act



It is impossible to list all of the frauds that have been prosecuted under the False Claims Act, but the following list gives some idea of the scope that have been uncovered to date:

- Billing for goods and services that were never delivered or rendered.
- Billing for marketing, lobbying or other non-contract related corporate activities.
- Submitting false service records or samples in order to show better-than-actual performance.
- Billing for work or tests not performed.
- Double billing - Charging more than once for the same goods or service.
- Up coding - Inflating bills by using diagnosis billing codes that suggest a more expensive illness or treatment.
- Being over-paid by the government for sale of a good or service, and then not reporting that overpayment.
- Billing in order to increase revenue instead of billing to reflect actual work performed.

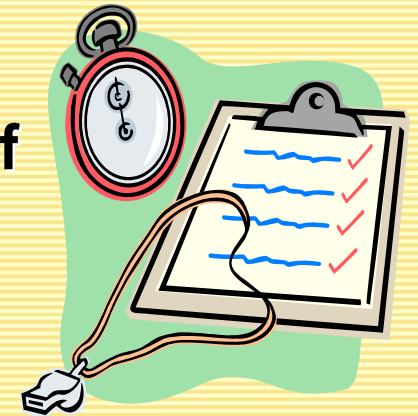
What's the definition of "whistleblower"?

Whistleblower is an employee, former employee, or member of an organization who reports misconduct to people or entities that have the power and presumed willingness to take corrective action.

Generally the misconduct is a violation of law, rule, regulation and/or a direct threat to public interest – fraud, health, safety violations, and corruption are just a few examples.

Whistleblowers are most often employees of businesses, but are also often employees of government agencies

from the encyclopedia, Wikipedia



The False Claims Act is about more than money.

Consider the very real social benefits that flow from False Claims Act enforcement:

Protecting Clients: The False Claims Act discourages companies from shorting clients on the numbers of pills purchased, repackaging old medicines and presenting them as new, and charging clients more than what they should be paying for health care equipment, procedures and medicines. By helping ferret out fraud, the False Claims Act not only works to contain health care costs, it also helps clients keep cash in their pockets.

Protecting Senior Citizens and the Disabled: The False Claim Act discourages nursing homes from delivering substandard care to nursing home patients, and price-gouging the Medicaid program for goods and services. By bolstering the financial integrity of Medicaid, the False Claims Act helps protect America's oldest, poorest and most vulnerable.

REMINDER!

The **ETHICS AND COMPLIANCE HOT
LINE NUMBER** is

678-213-0242

Or

You may call the Compliance Officer at 770-429-5025
for consultation or to make an ethics or compliance
complaint.

