

Welcome to the Accumen Show!!

ACCUMEN

Compliance Training Module 1 Corporate Compliance



Objectives of Accumen's Compliance Program

1. Promote ethical business conduct in highly regulated industry
2. Prevent, detect and address conduct that does not conform to our policies, regulations or laws that impact our business and the clients we serve.

Your Part:

You play a key role in promoting a compliant culture!

Understanding and following the program reduces risks and penalties on both an organization and individual level.



Agenda

- What makes our Company Great?-You Do!
- Compliance Code
 - Ethical Dilemma?
 - Conflict of Interest
 - AlertLine
 - Patient Blood Management
 - Outreach Program Management
- Call or Don't Call?
- Fraud & Abuse
- Deal or No Deal?
- Policies & Procedures



What Makes our Company Great? – You Do!

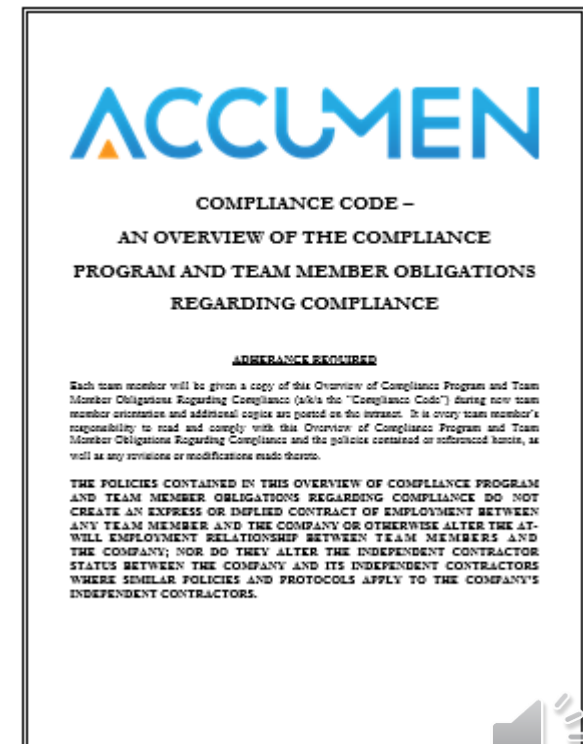


Introduction:

Accumen's Compliance Code - is a navigation tool to help employees understand our requirements and expectations for ethical business conduct in the health care industry.

I. Commitment to Compliance:

- A. Compliance Resources
- B. Compliance Training
- C. Compliance Concerns-Your Duty to Report: AlertLine**
- D. No Retaliation or Intimidation
- E. Disciplinary Action
- F. Applicable Health Care Laws**
- G. Responding to Government Inquiries
- H. Sanction Checks for Excluded Parties



II. Commitment to Compliance:

- A. Accuracy and Integrity of Company Records
- B. Conflict of Interest Issues-Negotiating Arrangements**
- C. Gifts and Benefits
- D. Interactions with Health Care Providers
- E. Compliance Issues Involving Company Clients
- F. Compliance Issues Involving The Company and Team Members
- G. Patient Privacy
- H. Certain Business Unit-Specific Considerations
 - i. Patient Blood Management**
 - ii. Outreach Services**

Code of Conduct – Introduction

It's all About Honest, Ethical and Legal Conduct

Accumen's Compliance Code is designed to guide our business decisions in the right direction.

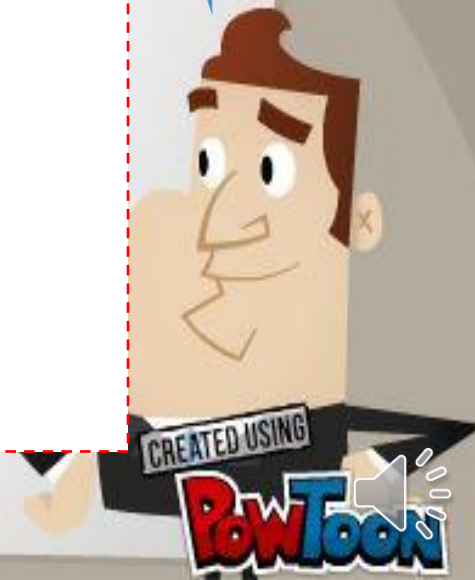


Accumen's **Integrity** Core Value guides us to adhere to the highest ethical compliance and personal standards as the foundation of our business practices.

If faced with an ethical dilemma in the workplace, consult the Code for guidance, a member of management or the compliance officer. You can also use this list for a quick check.

If you are doing “what is right” you will be able to answer yes to the following questions:

1. Am I being truthful?
2. Am I acting fairly?
3. Is it consistent with laws, regulations and Accumen's policies?
4. Am I acting in the best interests of Accumen and our client?
5. Would I be proud to tell someone about my actions?
6. Would I be comfortable seeing it in the media?



The first step to avoiding a conflict of interest is to **IDENTIFY** one. 


A conflict of interest can occur any time we have a financial or some other interest outside the company that could in some way impair our fairness and impartiality on the job.

Examples of a potential Conflict of Interest:

- You have a personal relationship with a vendor or client you are negotiating a contract for
- You have ownership or stock with a vendor or client
- Accepting a valuable gift from a vendor
- 2nd job that may interfere with your work

What is the next step?

- **DISCLOSE** the conflict to your manager, HR or Compliance Officer. 

- **Unique to Accumen: If you are negotiating a contract between 2 or more clients. We must acquire **CONSENT** (CONTACT THE COMPLIANCE PRIOR TO NEGOTIATING).** 



Code of Conduct – AlertLine and Duty to Report



All employees have an obligation to report any actual or suspected violation, committed by self or another, of the Code of Conduct, Accumen policies and procedures, and/or federal and state laws.

Remember:

- It's never too late to report a problem
- Reporting suspected violations is not an act of disloyalty
- Accumen has a non-retaliation policy

Reporting Options:

Contact Accumen Compliance Office at 858-777-1709.

OR, if you would like to remain anonymous, you may access a web site www.accumen.ethicspoint.com and complete a form or speak to an Ethicspoint operator at: 1-877-727-6720.



What is the Corporate Practice of Medicine (CPM)?

A doctrine that bars unlicensed persons or corporations from:

- Engaging in the practice of medicine-as defined by the state
- Controlling the clinical aspect of a physician's practice

How Do We Comply?

No aspect of Accumen's cPBM services shall subordinate, usurp our Clients' sole authority and discretion with respect to all clinical and medical decisions.

Accumen's Position

- Client/physician maintains all clinical authority – expressly provided in our PBM and LabEx agreements and marketing materials
- PBM team members consult at cPBM Program level – (do not consult on an individual patient condition)
- Guidelines, pathways, tools, are approved by Health System committee(s) and sourced with peer reviewed literature
- Videos, Marketing Literature, White Papers are approved by Legal and Compliance and include clinical limitations disclaimer





***We Deliver
Outreach Program
Services Compliantly***

CREATED USING
POWTOON

This is what we do! - Accumen and Chi Solutions employ compliant business practices to successfully enable health system clients to compete for laboratory business by implementing a comprehensive set of services designed to create a compelling laboratory value proposition.



We are committed to compliance with state and federal laws, our policies and client contract requirements in the provision of Outreach Program Services.

Laws can be Violated if Services are not Delivered in a Compliant Manner

Known Outreach Risk Areas

- Test Referrals – Marketing Services
- Provision of Supplies, Equipment, and Services
- Billing and Reimbursement Rules
- Patient Privacy

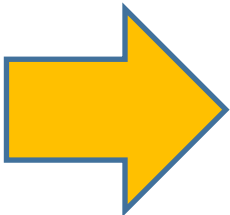
Key Laws that Govern Services

- Anti-Kickback Statute
- Stark Law
- False Claims Act
- State Laws
- HIPAA

Outreach Program Management team members have additional compliance training assigned to them through Media Lab and where applicable client mandated training.



Refer to the Outreach Program Services Section in the Compliance Code, Susan Dougherty or the Compliance Officer for additional guidance.



Please Note: All members of Outreach Program Management Services are assigned an additional training module through Media Lab called Medicare Compliance for Clinical Laboratories.



The Accumen Show: Call or Don't Call?

ACCUMEN



**IT'S NOW TIME FOR:
The Accumen Show!
CALL or DON'T CALL?**



John and Jane are discussing a potential reference lab contract between Accumen and Chi accounts.

They are not sure if this particular arrangement would qualify as a conflict of interest.


Should John... (Call or Not Call the Compliance Officer?)

CALL?

DON'T CALL?



Answer:

 Yes, John should call Accumen's Compliance Officer because ... Arranging referral contracts between clients is a potential conflict of interest which requires guidance, disclosure and consent.



- Fraud and Abuse is a growing **problem** in US healthcare.
- Most providers and contractors are well-intentioned; however, in 2014 the government recovered \$5.7 billion in healthcare fraud cases. Fraud persists because some people think it is easy money-with minimal risk.
- Consequently, poor business practices that go undetected by the organization, but discovered by the government, will be prosecuted to the fullest extent under applicable Fraud and Abuse laws.
- The health systems we serve are committed to fighting fraud and abuse.

What is health care fraud and abuse?

FRAUD

Making false statements or representations of material facts to obtain some benefit or payment for which no entitlement would otherwise exist.

ABUSE

Abuse describes practices that:

- Result in unnecessary costs
- Are not medically necessary
- Are not professionally recognized standards, and
- Are not fairly priced



Examples of Health Care Fraud and Abuse

- **Kickbacks:** Cash for referrals, free rent or below FMV rent for medical office space, free clerical staff, excessive compensation for medical directorships, anything of value in exchange for referrals.
- **Self-Referrals:** When a provider refers to a lab where they have an ownership or financial interest without following the Stark Law exceptions.
- **Stark Non-Monetary Compensation:** When a laboratory provides meals, promotional items or something of value in excess of the annual dollar amount limited by the Stark Law (2016 Limit is \$392)
- **Service Unbundling or Fragmentation:** Billing for multiple procedures separately that should have been billed together in a bundle in order to forgo the bundled rate and increase profit.
- **Up-coding:** Typically submitting a claim for a service more severe than the actual service provided. For example, submitting a claim for a broken ankle when the patient was only treated for a sprained ankle.
- **Cloning:** Using an EHR system to automatically generate a more detailed patient observation profile by copying from another patient's file with similar symptoms to appear as if a more thorough examination was done.
- **Repeat Billing:** Billing twice for the same procedure, supplies, or medications.
- **Keystroke Mistake:** Entering incorrect codes, resulting in significant overcharges or in some cases an undercharge.
- **Cancelled Service:** When a lab test is ordered in the Lab Information System and then canceled later but is still charged through the billing system.
- **Standard of Care:** Billing for services in which the provider failed to meet quality standards of care and provide preventative actions to safeguard patient's health.
- **Unnecessary Treatment:** When a provider performs unnecessary tests in order to bill for them.





Anti-Kickback Statute – Federal/Criminal Statute

- Applies to all medical professionals (Including Accumen)
- Prohibits giving items of value in exchange for the purpose of inducing referrals of services reimbursed by the federal government health care program
- Penalties: Felony Offense punishable by fines or up to 5 yrs. Imprisonment
- **EXAMPLE: Outreach Program giving something of value to a physician to induce them to use a hospital laboratory**

Federal Laws

False Claims Act - Federal Law

- Covers fraudulent claims to any federal or state funded contract or program-typically by Providers
- Whistleblower provision allows private citizens to join in on behalf of government and share in up to 25% of rewards.
- Requires hospitals/physicians to refund Medicare/Medicaid overpayments within 60 days of identification of overpayment
- Penalties: \$5,500 - \$11,000 per claim, up to 3 x damages
- **EXAMPLE: Hospital billing for something they did not do (Interface or Computer error, human error, Custom Profile that Duplicates Tests, etc.)**

STARK Physician Self Referral Law – Civil Statute

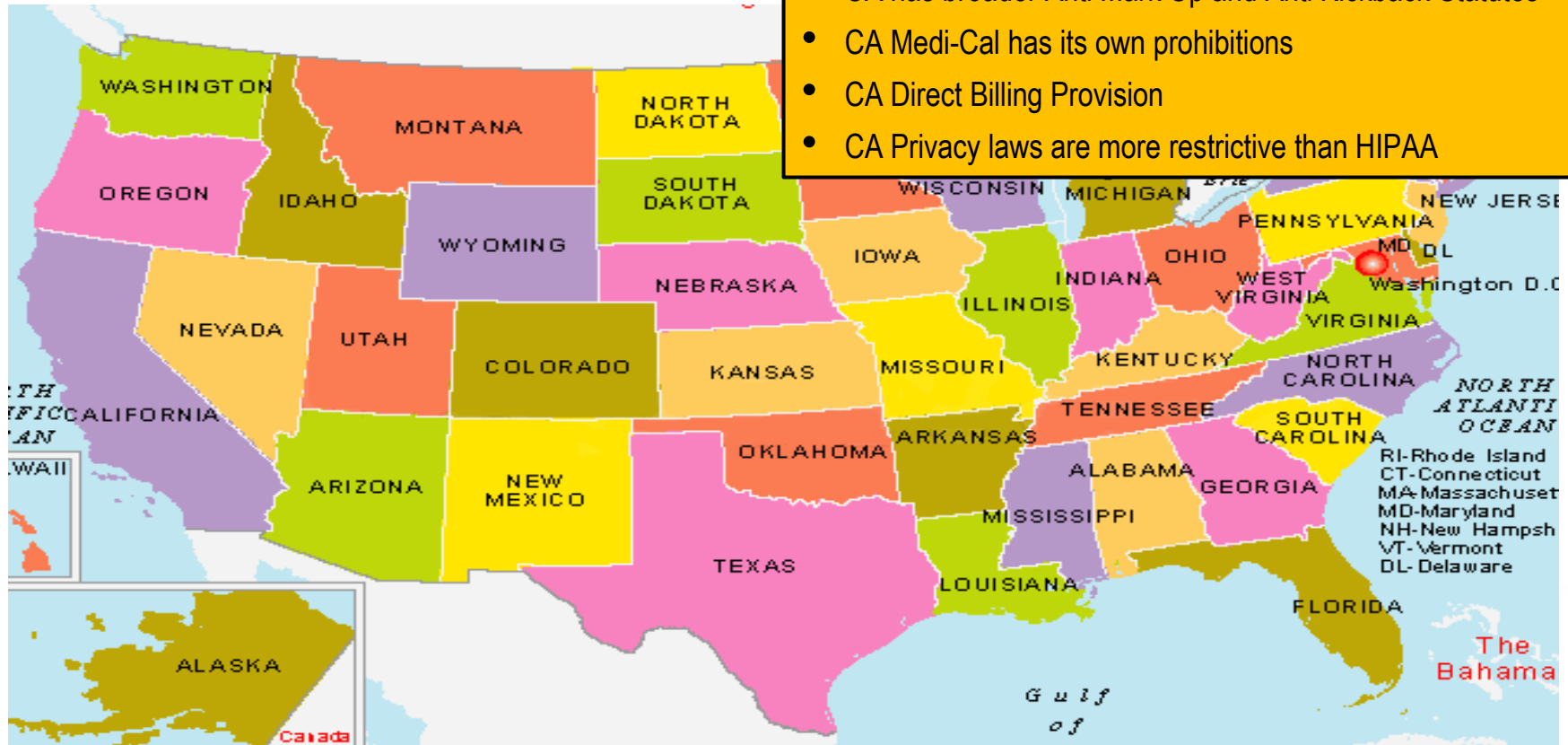
- Prohibits a physician from referring laboratory services payable by Medicare to an entity they have a financial relationship with
- Law allows for certain business arrangements if it complies with parameters of an approved Exception
- Penalties: Exclusion from Medicare, %50,000 - \$100,000 fine
- **Example: Labs who pay client physician above fair market value for rental of office space for a draw station**



State Laws


State Anti-Kickback and False Claims Laws

- Many states have equally if not more restrictive laws
- CA has broader Anti Mark Up and Anti Kickback Statutes
- CA Medi-Cal has its own prohibitions
- CA Direct Billing Provision
- CA Privacy laws are more restrictive than HIPAA



The Accumen Show: Deal or No Deal?

ACCUMEN



**IT'S NOW TIME FOR:
The Accumen Show!
DEAL or NO DEAL?**



Lisa, my company has been with you for quite some time and I am concerned I am not getting the lowest price. I was hoping you could share your other client's pricing so I am assured I am getting the best price?

That sounds like an ethical issue...

Should Lisa say...



Should Lisa share the pricing?

Answer:

NO DEAL. At Accumen, we believe in fair, ethical service to all entities we conduct business with.

The Compliance Code provides guidance on Ethical Business Practices like Confidentiality and Conflicts of Interest to help you be prepared to respond in situations like these.

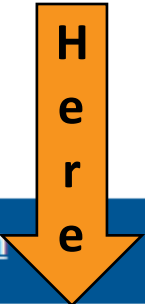


Policies & Procedures – Where are they located?

ACCUMEN



Accumen Intranet



Collaborate Applications and Information

NEWS	POLICIES	
MARKETING	ORG CHARTS	
 Data and Documents	 Chatter	 Marriott Hotels
 American Airlines	 United Airlines	 Expense Management
 Bill.com	 SpringCM	 Bank of America
 Microsoft Office 365 Mi...	 Smartsheet	 Microsoft Office 365 P...

Accumen

What are you working on?

All Company

Sean Minner – May 6 at 8:59am
Doctors, patients, medical administrators and our Accumen Teams across the country will observe National Nurses Day today.

May 6 also marks the start of National Nurses Week– ending on Florence Nightingale’s birthday on May 12. The annual week-long celebration honors the contributions made by nurses around the country.

Accumen thanks all of our nurses that we have on the team:

Joe Thomas

Exit Instructions

We hope this course has been
informative and helpful.

**Please proceed to take the
Compliance Quiz for
Module 1**

