



# COMPLIANCE NEWSLETTER

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Heritage Provider Network

## Compliance Officer Forum

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and Sherry Connelly, SMG Compliance Officer



Fraud, Waste, and Abuse laws prohibit receiving any gifts, tips (gratuities), and bribes or kickbacks.

**You should never ask for, or accept gifts of more than nominal value from any patient, consultant, drug representative, or anyone else—especially if it is given to obtain a favorable treatment or service.**

This includes receiving money or anything else of value (a pen or a lunch is not considered an item of value—a cruise or a designer purse is!)

## Criteria for EXCLUSIONS Office of Inspector General (OIG)

The Social Security Act (1128(b)(7)) gives the OIG the discretion to exclude any individual or provider from participating in any federal healthcare program if they pose a risk in negatively affecting these programs:

- Submissions of a false or fraudulent claim
- Retention of an overpayment
- Conviction related to patient abuse or neglect
- Billing for services furnished by an excluded provider
- Felony conviction relating to controlled substance
- Engaging in unlawful kickback arrangements

HPN checks the OIG/GSA exclusion lists prior to hire or contracting and monthly thereafter to ensure that no one who conducts business with or for HPN has been placed on the exclusion list by the OIG.

### The Integrity Decision

Most people would agree that integrity is important, especially if the action—or inaction—of an individual resulted in harm to themselves or others.

**Integrity** is the quality of being honest; we are either honest in our decisions and actions or we are not.

*If we know about an issue but were not a participant in the issue, our silence could make us as guilty as those who were engaged in the wrongdoing.*

Being **knowledgeable** about compliance is helpful in our decision-making process. If we understand what the expectations are and the consequences when standards are not maintained, we will have greater resolve to uphold those standards.

*“Having integrity means doing the right thing in a reliable way. It’s a personality trait we admire, since it means a person has a moral compass that does not waiver.”\**

Remember, your Compliance Officer is available to you as a resource in helping you to make good decisions.

\*www.vocabulary.com/dictionary/integrity



**Available 24 hours/day, 365 days/year, with no restrictions or charges on the length or number of calls placed\*.**

\*Long distance rates may apply.

Arizona Relay Service is a telecommunications relay service, which provides full telephone accessibility to people who are deaf, hard of hearing, or speech disabled.

Specially trained Communication Assistants complete all calls and stay on the line to relay messages electronically over a text telephone (TT), also called TTY for “Teletype”, or verbally to hearing patients.

## REPORT Compliance Concerns

- ♦ If you encounter a potential violation, **Speak Up!**
- ♦ It is not only the right thing to do, it is required by company policy.
- ♦ You are protected from retaliation whenever you speak up in good faith; and always have the option of reporting anonymously.
- ♦ All reports will be reviewed, and if necessary, investigated.

**Corporate Hotline:  
855-682-4127**

- ♦ RMG/LCH/ADOC/GCMC employees/FDRs may also call: 818-810-4633
- ♦ Corporate Compliance P.O. Box 7007 Lancaster, CA 93539
- ♦ Report to your Supervisor, HR, or Compliance Officer.

## CMS False Claims Act

SPOTLIGHT

- The False Claims Act imposes liability on any person who submits a claim to the government that they know (or should know) is false.
- Civil penalties of at least \$5,500 and not more than \$11,000, plus 3 times the amount of damages which the Government sustains.
- Whistleblowers who expose information or activity that is deemed illegal, dishonest, or violates any laws are protected from retaliation.

For additional information, please reference the HPN and CMS Fraud, Waste, and Abuse Compliance Training or view [31 United States Code \(U.S.C.\) Sections 3729-3733](#)

### Who is an FDR? 42 C.F.R. §, 423.501

○ A First Tier, Downstream, and Related Entity (FDR) is anyone who conducts business with or for a Medicare Advantage Organization (MAO); such as HPN and its Affiliated Medical Groups) or with a Part D plan sponsor? Learn more: [CMS Managed Care Manual Chapter 21](#)

### COMPLIANCE OFFICERS

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