



## CORPORATE COMPLIANCE PROGRAM PLAN

**Mission:** Cortland County Department of Mental Health is dedicated to serve the Cortland Community through a person-centered, quality of care that provides messages of hope and support in navigating the recovery process.

**Vision:** To provide timely access to collaborative, high quality treatment for all individuals affected by behavioral health disorders on their journey to recovery. This is achieved through prevention, education, therapeutic and rehabilitation services.

### Program Purpose

*Cortland County Mental Health Department's (CCMHD) compliance program is guided by the Mission and Vision of the organization. We are committed to conducting our work with honesty and integrity, in accordance with high ethical and legal standards, and with respect for each other and those with whom we do business. The purpose of this Compliance Program Plan (the Plan) is to ensure the Cortland County Mental Health Department leaders establish and maintain systemic checks and balances to detect and prevent fraud, waste and abuse within the Medicaid and Medicare programs run by CCMHD.*

### Composition of Program

The compliance program consists of policies and guidelines, education and training, auditing and monitoring, compliance roles/responsibilities, an annual work-plan and the oversight of a compliance committee. This document will provide a summary of the program components and is meant to provide an overall introduction to our program.

### Policies

The compliance program policies are approved by CCMHD's Compliance Committee. The policies form the foundation of the compliance program and contribute to our ability to meet our regulatory obligations in a matter consistent with our mission and *vision*. The policies comprising our program consist of, at minimum:



- Code of Conduct
- Conflict of Interest
- Exclusion checking
- Reporting of compliance concerns
- Internal auditing and monitoring
- Role of the Compliance Committee
- Non-retaliation/Whistleblower policy
- Enforcement of compliance standards/sanctions policy

## **Education and Training**

Education and training are critical elements of the CCMHD compliance program. All employees, contractors, and members of the governing Board are expected to be familiar with the CCMHD compliance policies and understand their responsibilities regarding compliance.

All employees, contractors, and members of the governing Board at CCMHD will receive training and education on compliance issues, expectations, and the operation of the compliance program.

Compliance training will be conducted annually and will be part of orientation for new employees, contractors, and at least annually to members of the governing Board.

## **Training Curriculum**

The Compliance Officer is responsible for coordinating development of the compliance education curriculum and ensuring that the curriculum and educational materials are updated as necessary. The training program for all employees and associates will, at a minimum, address the following:

- The CCMHD Code of Ethics
- The CCMHD Conflict of Interest
- Legal and contractual Obligations
  - Confidentiality of personal information and health information
  - Obligations to disclose overpayments to government authorities
  - Fraud, Waste and Abuse (FWA) in billing or expense reporting
  - Prohibitions on submission of false claims or cost reports
  - Civil and criminal penalties for submission of false claims or cost reports
- Compliance Hotline and methods of reporting compliance issues



- Non-Retaliation/Whistleblower protection under federal and state laws

In addition to the above, targeted training will be provided to all employees and contractors whose work includes activities related to identified risk areas. Senior Leaders and supervisory staff are required to assist the Compliance Officer in identifying risk areas that require specific training.

## **Dissemination of Information**

**CCMHD** will disseminate compliance training information through several means, which may include:

- New employee orientation;
- Annual compliance training programs;
- Online training programs;
- Distribution of notices to employees and associates;
- Presentation/discussion at team meetings;
- Informational Compliance Posters; and
- Email in-services, including topic specific FAQ's

## **Attendance**

Participation in compliance training is mandatory and is a condition of continued employment by CCMHD.

Participation in compliance training will be documented. This may be accomplished through sign-in sheets, meeting minutes, electronic tracking, or signed acknowledgements.

## **Auditing and Monitoring**

### **Monitoring of Program compliance**

CCMHD senior leaders and their supervisory staff responsible for the management of specific programs or specific departments will monitor compliance in identified risk areas and promptly inform the Compliance Officer and the Director of Community Services of identified compliance related problems.



The Compliance Officer and the CCMHD senior leaders will ensure that ongoing monitoring is conducted as scheduled and that periodic reviews are properly conducted, documented, and reported to the Compliance Officer and ultimately to the Compliance Committee.

The Compliance Officer will assist program managers who have questions about applicable regulations and quality measures, compliance indicators, and compliance reviews.

### **Internal Audits**

The Compliance Officer will be responsible for oversight of the CCMHD internal compliance auditing system. The scope of the audit program will be determined by the Compliance Committee and regular reports will be made to the Committee on progress and trends.

### **External Audits**

Any compliance or audit related to correspondence from any regulatory agency charged with administering a federally or state-funded program received by any department of CCMHD will be copied and promptly forwarded to the Compliance Officer for review and subsequent notification/review by the Compliance Committee.

CCMHD senior leaders and supervisory staff must immediately notify the Compliance Officer of any visits, audits, investigations, or surveys by any regulatory agency or authority.

Any oral or written report of the results of any such visits, audits, investigations, or surveys should be forwarded to the Compliance Officer promptly upon receipt.

CCMHD will cooperate fully in any government audit, investigation, or survey of CCMHD or of programs operated or managed by CCMHD.

### **Review and Responses to Audit Reports**

If an internal audit results in compliance related issues, a written plan of action will be required within 15 days of audit result delivery. The Compliance Officer can offer assistance to the Senior Leaders to identify a plan of action that should result in correction and prevention of future audit findings for the issue identified.



External audit report findings will necessitate the development of a written plan of correction within the timeframe indicated by the auditing organization. The Senior Leaders and the Compliance Officer will work together to create a corrective action plan with measurable outcomes. The corrective action plan will be reviewed with the appropriate Senior Leader(s) prior to submission to the auditing body.

Senior Leaders and supervisory staff are responsible for ensuring that corrective measures are implemented in a timely manner. The Compliance Officer will monitor the implementation of corrective measures.

The Compliance Officer and Director of Community Services will evaluate the effectiveness of internal monitoring and auditing efforts periodically. The Compliance Officer will report to the Compliance

Committee on the general status of compliance reviews, the outcome of compliance auditing and monitoring, and the corrective actions taken.

The Compliance Officer will report the results of auditing and monitoring activities and corrective actions to the governing body of the Board at least annually. The report will also include an assessment of any compliance risks to CCMHD and CCMHD managed programs.

### **Appointment of the Compliance Officer**

CCMHD will appoint an employee with the education, training, certification experience, and integrity to perform the duties and responsibilities of Compliance Officer, set forth below.

The governing Board and Director of Community Services shall ensure that the Compliance Officer has the training, time, and resources necessary to effectively design, implement and monitor the compliance program.

### **Reporting relationship: Access to Information**

The Compliance Officer will have direct lines of communication to the Director of Community Services and the CCMHD governing Board. They will not report directly to the Chief Financial Officer. They will work cooperatively with CCMHD counsel and may consult with counsel as needed but will not report directly to counsel.



The Compliance Officer will participate in meetings of senior leadership and the CCMHD governing Board at which compliance reports or compliance related issues are discussed.

The Compliance Officer will receive copies of reports on compliance-related matters from operating units within CCMHD. All operating units will inform the Compliance Officer about patterns or significant concerns related to compliance with legal and regulatory standards, the Code of Ethics, or Compliance Policies and Procedures.

The Compliance Officer will be advised of meetings affecting the compliance program such as quality improvement, risk management, billing and coding, privacy and security and attend such meetings, as appropriate.

The Compliance Officer will have the authority to review all documents and records related to compliance with legal, regulatory, and ethical standards by CCMHD and programs managed by CCMHD. This includes, but is not limited to, patient records (as applicable), billing records, contracts, financial records, and arrangements with employees, independent contractors, suppliers, agents, referral sources, and others.

## **Duties of the Compliance Officer**

The Compliance Officer is responsible for the day-to-day operation of the compliance program. The Compliance Officer's primary responsibilities include:

- Serves as the main contact for the workforce with the CCMHD Code of Ethics and Compliance Plan.
- Develops and implements the annual Compliance Plan for the organization.
  - ✓ Monitors the performance of the Compliance Program and related activities on a continuing basis, taking appropriate steps to improve its effectiveness;
- Oversees the CCMHD policy management system for all Corporate, Compliance policies and procedures, ensuring best practices for operational control. Develops curriculum and trains CCMHD employees at all levels of the organization.
- Manages all aspects of the Compliance program: develops content for and coordinates the at hire and annual compliance training program, including updates as needed to address changes in laws, results of audits and investigations, trends in Compliance Hotline reports, and guidance from federal and state agencies.



- Maintains Compliance Hotline database by ensuring all reports are triaged, investigated, and resolved.
- Oversees and maintains the operation of the Compliance Reporting System and ensures timely reporting and documentation of compliance incidents and violations of the compliance program. Consults with legal counsel as applicable.
  - ✓ Responds to alleged violations of rules, regulations, policies, procedures, and Standards of Conduct by evaluating or recommending the initiation of investigative procedures.
  - ✓ Develops and oversees a system for uniform handling of such violations
  - ✓ Ensures prompt and thorough resolution of compliance issues, including implementation of policies, procedures, systems, and necessary training of all affected individuals to reduce the potential for recurrence
  - ✓ Reports compliance issues to oversight bodies as applicable.
- Assists the Director in partnering effectively with organizational leaders to monitor compliance risk areas and make recommendations for risk mitigation.
  - ✓ Identifies potential areas of compliance vulnerability and risk,
  - ✓ Monitors corrective action plans, in response to investigations, for mitigation of reported issues.
- Initiates and monitors the internal and external audit processes for CCMHD, addresses all citations and systemic issues noted in a timely fashion and in keeping with all applicable State and Federal regulations.
- Ensures completion of annual self-evaluation of CCMHD Compliance Program and addresses all gaps in accordance with the regulations governing an effective compliance program.
- Monitors and audits the agency process of Utilization Review to ensure timely and appropriate documentation for billing.
  - ✓ Oversees self-disclosures and refunding of overpayments, ensures timely and effective response and payment.
- Receives regular reports connected to findings associated with Federal Health Care Exclusion Checks and/or Credentialing.
- Chairs the Compliance Committee, ensures Board members and senior management are informed of the operation and progress of compliance efforts.



## **Compliance Department Work Plan**

The Compliance Officer will develop an annual department work plan that will outline the goals of the compliance program for the year. The scope and content may vary annually based on government initiatives, internal/external audit findings, and input from the Compliance Committee and or governing Board. The work-plan will state objectives and timelines. The work plan will be approved by the Compliance Committee and will be updated prior to each Compliance Committee meeting. Updates from the compliance plan will be brought to the CCMHD Board Meeting on at least a semi-annual basis.

## **Compliance Committee Appointment**

The Director of Community Services shall have the discretion to appoint a Compliance Committee, which may include members of the Board of Directors, officers, and employees or CCMHD, or both.

### **FUNCTION**

The function of the Compliance Committee is to:

- Review this Plan. Provide feedback to the Compliance Officer and make recommendations regarding risk areas that should be addressed within the Compliance Program.
- Recommend Board actions regarding the Compliance Program.
- Review CCMHD Compliance Policies and Procedures and proposed amendments to those policies and procedures.
- Make recommendations to the Chief Compliance Officer, the Director of Community Services, and the Community Services Board
- Advise the Chief Compliance Officer and CCMHD management regarding implementation of this Plan.
- Monitor implementation of the Compliance Program.
- Review internal and external compliance audit reports. Review corrective action plans and monitor for trends and implementation of those plans.
- Review periodic reports submitted by the Compliance Officer.
- Review complaints to the Community Services Board about compliance issues, including complaints of retaliation or intimidation for good faith reports of known or suspected non-compliance with statutory or regulatory standards or the CCMHD Code of Conduct.

### **NON-RETALIATION AND WHISTLEBLOWER PROTECTION**



*Mental Health Department*



*CORTLAND COUNTY*

- CCMHD will maintain a compliance hotline that provides employees, Board Members, and contractors the ability to report concerns of non-compliance to the Compliance Officer.
- The compliance hotline does not require the “caller” to identify themselves if they do not wish to be known.
- All calls to the hotline will be investigated given the information provided.
- All calls to the hotline will be reported to the Compliance Committee, to the Director of Community Services and to the Board.
- CCMHD maintains a Whistleblower Policy that protects the individual from any acts of retaliation or intimidation in the form of job security or discrimination.

**ENFORCEMENT OF COMPLIANCE STANDARDS**

- All CCMHD employees, board members, and contractors are expected to comply with all aspects of the Compliance Program.
- Suspected violations of Code of Ethics, Conflict of Interest, Whistleblower protection or any other part of the Compliance Program will be thoroughly investigated and if deemed a violation will be addressed and may result in immediate and appropriate disciplinary action.
- Employees and Contractors are expected to report any Conflicts of Interests, violations of Code of Conduct and any other compliance concerns to their direct supervisor, HR and to the Compliance Officer immediately.