

Why You Need an Office Compliance Program

By

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Special Guest

- ▶ Dr. Rick Kuhlman.
- ▶ 1997 Graduate of Life College.
- ▶ He owns and operates 5 clinics in Atlanta GA, and one in Nashville, TN.
- ▶ He is here to tell you his story.

The Office Compliance Program

- ▶ After hearing Dr. Kuhlman, one thing is certain: You don't want to be this guy!
- ▶ With regulations seemingly being written faster than we can read them, how do you know what to do?
- ▶ The Office Compliance Program.
- ▶ A properly implemented and operating Office Compliance Program creates a culture of compliance within your office.
- ▶ The entire staff is engaged and involved in insuring that everything is done as required.
- ▶ The Office Compliance Program is more than a Federally Mandated Manual sitting on your shelf.
- ▶ A compliance manual does not just sit on a shelf emitting little compliance rays.
- ▶ A compliance manual is composed of policies and procedures that you use on a daily basis to keep you and your practice operating in compliance with the laws, rules, and regulations.
- ▶ Additionally, you have a program in place to systematically audit your records to ensure that they prove medical necessity.
- ▶ The status of the Office Compliance Program is in an interesting bureaucratic limbo.
- ▶ It is required for every provider and supplier that is enrolled in a Federal Program by the Patient Protection and Affordable Care Act.
- ▶ The implementation deadline has not yet been set by the Secretary of Health and Human Services.
- ▶ “(A) IN GENERAL.—On or after the date of implementation determined by the Secretary under subparagraph (C), a provider of medical or other items or services or supplier within a particular industry sector or category shall, as a condition of enrollment in the program under this title, title XIX, or title XXI, establish a compliance program that contains the core elements established under subparagraph (B) with respect to that provider or supplier and industry or category.
- ▶ “(C) TIMELINE FOR IMPLEMENTATION.—The Secretary shall determine the timeline for the establishment of the core elements under subparagraph (B) and the date of the implementation of subparagraph (A) for providers or suppliers within a particular industry or category. The Secretary shall, in determining such

- date of implementation, consider the extent to which the adoption of compliance programs by a provider of medical or other items or services or supplier is widespread in a particular industry sector or with respect to a particular provider or supplier category.”
- ▶ The seven elements of an effective compliance and ethics program described in the Federal Sentencing Guidelines are proposed to be used as the basis for the “core elements” of the required compliance program for Medicare.
 - ▶ Quote from HEAT Provider Compliance Training Seminar:
 - ▶ “If you cannot afford to hire someone in-house to oversee your compliance program then outsource it to a consultant.”
 - ▶ They also said, “Compliance Programs will be mandatory, why wait?”
 - ▶ CMS, OIG and DOJ are **very** serious about an Office Compliance Program operating in your practice.
 - ▶ Compliance programs are complex.
 - ▶ When you have an effective compliance program operating in your practice it will serve as a mitigating circumstance to the imposition of fines and penalties.
 - ▶ You can’t develop an effective compliance program from an off the shelf manual written by someone who is not trained or certified.
 - ▶ What does an Office Compliance Program cover?
 - ▶ CMS
 - ▶ OIG
 - ▶ HIPAA
 - ▶ OSHA
 - ▶ CLIA
 - ▶ Antikickback and Stark Laws
 - ▶ State Laws
 - ▶ What does it take to establish an effective Office Compliance Program?
 - ▶ Review of the facility.
 - ▶ Review of HIPAA manual and procedures.
 - ▶ Review of OSHA manual and Exposure Plan.
 - ▶ Review of office procedures and policies.
 - ▶ Review of 10 randomly selected records for each doctor with 5 of the records from Medicare patients.
 - ▶ Review of the claims for the selected records.
 - ▶ Review of the EOBs for the selected records.
 - ▶ As a result of these reviews you will receive:
 - ▶ A list of deficiencies identified for the facility with recommended corrections.
 - ▶ A list of deficiencies identified for the documentation with recommended corrections.
 - ▶ A compliance manual for your practice.
 - ▶ Individualized training is available.
 - ▶ An office compliance program is customized to each office.
 - ▶ Due to the detailed nature of the office compliance program it cannot be put into a standardized format.

- ▶ You will need a certified Medical Compliance Specialist to develop an effective Office Compliance Program.
- ▶ You can get additional information and access to a free recorded webinar on the Office Compliance Program at: <http://www.chiromedicare.net/compliance-audits-and-compliance-program-development/>.
- ▶ For additional information e-mail Dr. Short at chiromedicare@gmail.com or call him at 217-285-2300.