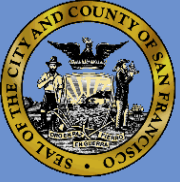


# Annual Compliance Training

## San Francisco Health Commission

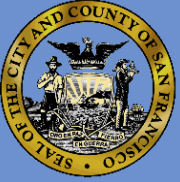
*DPH Office of Compliance and Privacy Affairs - 2020*



# Overview of Training

1. DPH Compliance Program
2. DPH Code of Conduct
3. Health Commission Responsibilities
4. Healthcare Laws and Regulations (State & Federal)
5. Statement of Incompatible Activities
6. Recognizing and Reporting Compliance Concerns





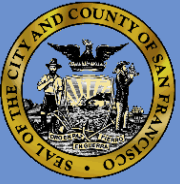
# Overview of DPH Compliance Program

- The mission of the DPH compliance program is **to ensure integrity in DPH business and clinical operations.**

We do this by promoting an understanding of, and compliance with, healthcare laws and regulations through:

Education and training to improve compliance with coding, billing and documentation; and

Working with providers, managers, and staff to integrate compliance into the daily operations of DPH.

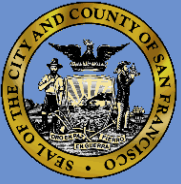


# Overview of DPH Compliance Program

The DPH Compliance program is operated in accordance with State/Federal standards and regulations.

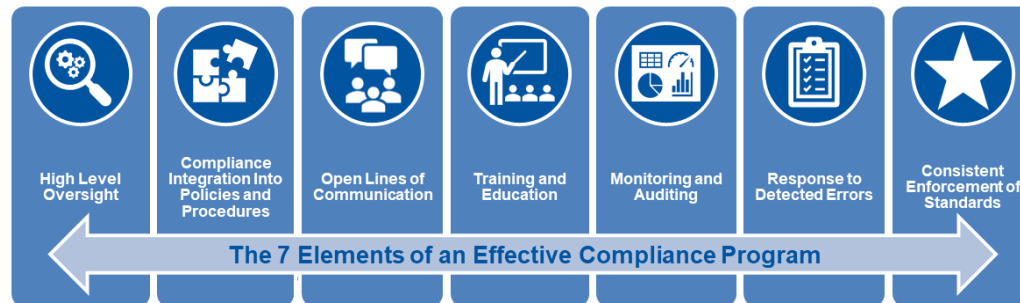
It promotes an environment where potentially improper, fraudulent or abusive activities are prevented, detected and reported.

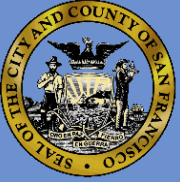
The DPH Compliance Program follows the Office of Inspector General's (OIG) recommended seven (7) elements of an effective compliance program.



# Elements of a Compliance Program

1. Designate a Compliance Officer and Compliance Committee.
2. Implement written policies and procedures.
3. Open lines of communication.
4. Provide education and training.
5. Conduct internal audits and monitoring.
6. Prompt response to detected offenses including development of corrective action plans.
7. Enforcing standards through well-publicized disciplinary guidelines





# 1. Compliance Officer and Committee

The DPH Chief Integrity Officer (CIO) reports to the Chief Operating Officer. The CIO is responsible for developing, implementing, and monitoring the organization's compliance program.

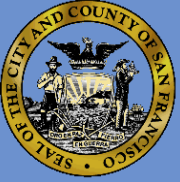
The DPH Compliance Committee guides and assists with the operation of the DPH Compliance Program.

The Office of Compliance and Privacy Affairs (OCPA) makes periodic reports to the Committee and to the Health Commission.



## 2. Policies and Procedures

The DPH Compliance Program includes a departmental Code of Conduct, written policies and procedures, and annual compliance work-plans, which are reviewed annually and updated as needed.

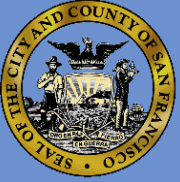


# 3. Open Lines of Communication

DPH maintains a confidential toll-free Hotline (855-729-6040) so that anyone may report suspected concerns, with the option of remaining anonymous, and without fear of retaliation.

Employees can also email the OCPA team at [compliance.privacy@sfdph.org](mailto:compliance.privacy@sfdph.org).



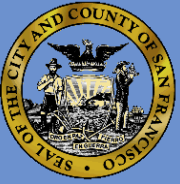


## 4. Education and Training

DPH provides annual compliance training through online training modules.

In addition, OCPA provides periodic education and training to improve compliance with documentation, coding, billing and reimbursement rules and regulations with the goal of preventing problems before they occur.

OCPA also distributes newsletters throughout the year providing education on specific compliance topics.

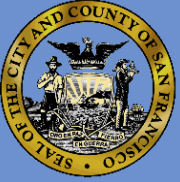


## 5. Internal Audits and Monitoring

Each year the OCPA conducts risk assessments of current practices at DPH and develops work plans which includes an audit schedules, monitoring, and audit tools.

These reviews are used to proactively identify issues and to give feedback to providers.

Audits and reviews are also conducted when there are concerns regarding potential compliance violations.



## 6. Response to Detected Offenses

OCPA evaluates and investigates each concern thoroughly.

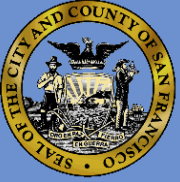
An appropriate resolution is determined.

A corrective action plan is developed and implemented which may include an individual or entity, if necessary.

Follow-up reviews are conducted to ensure the corrective action plan is in place.

Overpayments are returned to the appropriate payers.

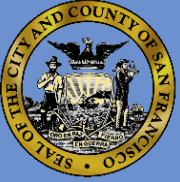
Oversight agencies are notified when warranted; including licensing agencies.



## 7. Enforcement and Discipline

OCPA works with DPH Human Resources to ensure disciplinary standards are imposed for noncompliance.

Standards should be imposed fairly and uniformly regardless of status within DPH.

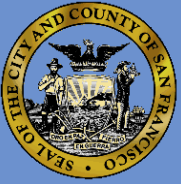


# Code of Conduct

The DPH Code of Conduct policy covers many of DPH's business practices and standards.

The Code describes our commitment to conduct business practices in compliance with all applicable laws and regulations.

The Code addresses expected behaviors for all to follow, and, provides direction to all DPH employees, contractors, vendors, interns, volunteers, and, others who do business with or on behalf of DPH.



# Elements of the Code of Conduct

Records Integrity

Ethics in Research

Safety

Business Ethics

Workplace Conduct

Compliance and Privacy

Fraud, Waste, and Abuse

Duties of DPH Staff



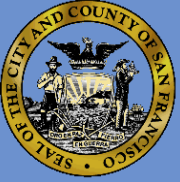


# Health Commission Responsibilities

Understand DPH's role and responsibilities in maintaining DPH's compliance program.

The Federal Government believes that the governing body is ultimately responsible for compliance of the organization with rules, regulations and laws.

The governing body must act in good faith in the exercise of its oversight responsibility for its organization, including making inquiries to ensure the compliance reporting system and timely attention to the matters reported is in place.



# Health Commission Responsibilities

Awareness of the regulations governing provision of care and reimbursement of services.

Apply that understanding to evaluating the adequacy and performance of all aspects of DPH.

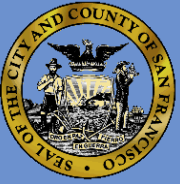
Monitor fiduciary duty and advisory oversight for DPH.

Regularly analyze reports on the Compliance program's effectiveness through the JCC and Annual Reports.

Evaluate structural and operational effectiveness of the DPH Compliance program.

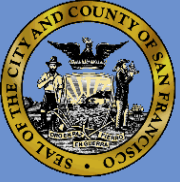
Ensure methods of encouraging enterprise-wide accountability for achievement of compliance goals and objectives.





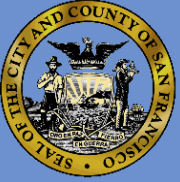
# Healthcare Laws and Regulations

False Claims Act – Federal statute that sets out criminal and civil penalties for falsely billing the government, over-representing the amount of a service or product, or under-stating an obligation to the government. The False Claims Act may be enforced either by the Justice Department or by private individuals in a qui tam (whistleblower) action.



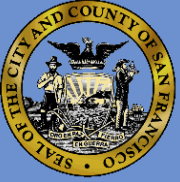
# Healthcare Laws and Regulations

Deficit Reduction Act - Enacted to strengthen Medicaid fraud and abuse enforcement. The law requires entities that make or receive annual Medicaid payments of \$5 million or more to provide detailed information in written policies applicable to employees that address fraud, waste and abuse. The law also requires entities to inform employees of all whistleblower protections.



# Healthcare Laws and Regulations

Fraud Enforcement and Recovery Act - Increased funding to federal agencies that combat financial fraud and expanded enforcement provisions of the False Claims Act.



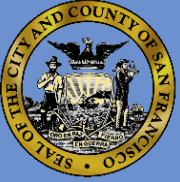
# Statement of Incompatible Activities

Since October 2008, all officers and employees of the City are subject to the provisions of their department's Statement of Incompatible Activities (SIA).

The SIA identifies activities that are considered to be incompatible with your duties as a City officer or employee.

The SIA is a guide for City officers and employees to understand how they should conduct themselves while serving the City and when engaging in activities outside that work.

The SIA is a legal requirement for all City departments under San Francisco Campaign & Governmental Conduct Code, section 3.218



# Statement of Incompatible Activities

Types of Activities covered by the DPH SIA include:

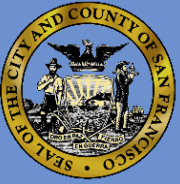
Activities that Conflict with Official Duties

E.g. Excessive time demands; conflicts of interest

Use of City Resources

Use of the Prestige of Office for Private Gain

Use of City Work Product for Private Gain



# Recognizing and Reporting Compliance Concerns

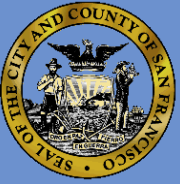
The duties of Public Officials and employees are to:

Comply with the laws, regulations, standards, DPH Code of Conduct, and other City/DPH policies that apply.

Understand the scope of practice determined by professional licensure, including any restrictions determined by job description and DPH policies and procedures.

Avoid actions or activities that may present as a conflict of interest, or promptly disclose those actions or activities.

Actively participate in compliance activities (e.g., annual compliance training is mandatory).



# Recognizing and Reporting Compliance Concerns

Duties of Public Officials and employees (cont.):

Build and maintain a culture of compliance.

Prevent, detect, and respond to compliance problems.

Prevent retaliation against employees who report violations.

DPH officers, employees, contractors, vendors, interns, volunteers and other agents:

Have a duty and responsibility to report misconduct, including actual or potential violations of laws, regulations, policies/procedures, or this organization's standards/code of conduct, as a potential compliance issue.



# Consequences of Compliance Violations

Potential compliance violations will be thoroughly investigated by the DPH Office of Compliance and Privacy Affairs.

Once an investigation is completed, appropriate action to resolve the violation and prevent recurrence will be taken.

Actions could include progressive or corrective discipline (suspension, termination, criminal charges, and/or civil penalties and fines).





# Consequences of Compliance Violations

A compliance violation could lead to:

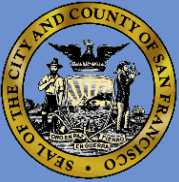
Loss of eligibility to participate in the Medicare/Medicaid programs.

Loss of Medicaid contract.

Reduction in reimbursement rates.

Agency liability for significant paybacks.

Loss of organizational reputation.



# Duty to Report Violations

SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH  
COMPLIANCE AND PRIVACY

**ANONYMOUS AND CONFIDENTIAL HOTLINE**



**1-855-729-6040**

OR

**[compliance.privacy@sfdph.org](mailto:compliance.privacy@sfdph.org)**

## What should be reported:

- Privacy breaches (report immediately)
- Non-compliance with billing, coding, and documentation regulations
- Issues regarding Code of Conduct or Compliance with DPH Policies
- Suspected Health Care Fraud, Abuse and Waste
- Theft or Misuse of DPH and/or City resources
- Conflict of interest
- Misconduct: Research/Scientific, Workplace Harassment
- Retaliation against the informant

## Reporting Options:

- Your supervisor/manager
- Your designated Compliance or Privacy Officer
- DPH Office of Compliance & Privacy Affairs Toll-Free Hotline: 855-729-6040 OR [compliance.privacy@sfdph.org](mailto:compliance.privacy@sfdph.org)
- Controller's Office Whistleblower Program, City and County of San Francisco: 415-701-2311 OR [whistleblower@sfgov.org](mailto:whistleblower@sfgov.org) OR you may file online at [www.sfgov.org/whistleblower](http://www.sfgov.org/whistleblower)

**SFDPH has a strict non-retaliation policy!**

**Your Privacy/Compliance Officer & Contact Info:**