

# Warren County Board of Supervisors

## RESOLUTION NO. 597 OF 2014

**Resolution introduced by Supervisors Sokol, Conover, Frasier, Taylor and McDevitt**

**ADOPTING COMPLIANCE MANUAL AND AUTHORIZING THE ADMINISTRATOR OF WESTMOUNT HEALTH FACILITY TO ELECTRONICALLY FILE COMPLIANCE CERTIFICATIONS WITH THE OFFICE OF THE MEDICAID INSPECTOR GENERAL (OMIG)**

WHEREAS, the Administrator of the Westmount Health Facility has advised the Health Services Committee of new regulatory requirements, policies and procedures which have been incorporated into a newly revised and updated Corporate Compliance Manual, which is attached hereto as Schedule "A", and

WHEREAS, the Administrator of Westmount Health Facility advises that Departmental annual compliance certifications must be submitted to the New York State Office of Medicaid Inspector General (OMIG) on or before December 31, 2014, and requests approval to execute and submit such documents on behalf of Westmount Health Facility, now, therefore, be it,

RESOLVED, the Board of Supervisors hereby accepts and adopts the revised and updated Westmount Health Facility Compliance Manual, Compliance Protocols and appropriate written policies and procedures relating to the Westmount Health Facility operations, attached hereto as Schedule "A", and be it further

RESOLVED, that the Chairman of the Board of Supervisors and/or the Administrator of Westmount Health Facility be, and hereby are, authorized and directed to electronically execute and submit any necessary 2014 compliance certification documents relating to the Westmount Health Facility to the OMIG on or before December 31, 2014.

**SCHEDULE "A"**

**CORPORATE COMPLIANCE IN-SERVICE OUTLINE**

11-25-14

**FUNCTION OF CORPORATE COMPLIANCE:** The compliance committee was established to assure that Westmount's operations are being conducted in compliance with applicable law and the highest ethical standards. A significant portion of Westmount's services are reimbursed through governmental programs which require that Westmount's business be conducted with complete integrity as set forth by the Office of Inspector General (OIG).

**MEMBERS OF THE COMMITTEE:**

Lloyd F. Cote/Administrator	Dr. Roslyn Socolof/Medical Director
Kylle Baker/Director of Nursing	Kendra Raymond/MDS Coordinator
Betsy Henkel, Officer/Comptroller	Mary Cochran/Admissions
Patricia Hawley/Health Information Manager	

**STANDARDS OF CONDUCT:**

**RESIDENT CARE AND RESIDENT RIGHTS:** Westmount has developed policies and procedures to ensure quality of care and the protection and promotion of resident rights.

- Comprehensive assessment for each resident is conducted in accordance with federal and state laws and regulations.
- All resident plans of care are developed by the interdisciplinary team based on assessment with the MDS. This includes measurable objectives and goals to meet the resident's medical, nursing, mental, and psychosocial needs.
- Residents are free from verbal, mental, sexual or physical abuse, corporal punishment or involuntary seclusion.

**REFERRALS:** Federal and state law prohibit Westmount from soliciting or accepting or offering or paying for referrals.

- Receiving free goods or services from a vendor in exchange for the purchase of other goods/services.
- The offering or making gifts, loans of any kind to an entity that is a prospective referral source.

**BILLING AND CLAIMS:** The facility has an obligation to its residents, third party payors and the state/federal agencies to exercise diligence when submitting claims for payment. Some risks areas include:

- Claiming reimbursement for services not rendered.
- Filing duplicate claims
- Upcoding to a higher RUG's score
- Billing for services not medically necessary.
- Failing to provide medically necessary services
- Billing excessive charges.

**NON-DISCRIMINATION IN RESIDENT SERVICES AND CHARGES:** The Facility should not discriminate with regards to admission, retention and care of residents based on race, color, blindness, national origin, sex, sexual preference, religion, and sponsorship/payment.

**CONFIDENTIALITY:** Resident information must be kept confidential. Discussing a resident's medical condition or providing any information about to anyone other than hospital personnel, interdisciplinary team, and authorized representatives is a violation.

**BUSINESS ENTERTAINMENT/GIFTS:** Employees should not receive any gift under circumstances that could be construed as an improper attempt to influence Westmount's decisions/actions.

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CONFLICTS OF INTEREST: No employee should place themselves in a situation where their personal interests might conflict with the interests of Westmount Health.

- Another job that would interfere with the effective-performance of your duties at Westmount.
- No employee should have financial interests in a firm/entity which is doing, or seeking to do business with Westmount.
- No employee will compete with Westmount by selling or offering to sell services or products similar to this offered by Westmount.
- No employee may use Westmount's assets for personal benefit.

PROCEDURES TO HELP THE FACILITY STAY IN COMPLIANCE:

- Initial and annual training
- Periodic training
- Ongoing communication and regular updates to the compliance manual
- Westmount Corporate Compliance Committee meets quarterly.

REPORTING REQUIREMENTS:

1. To report a violation; you may notify the compliance officer either in writing or verbally.
2. Westmount will investigate any suspected violation and take necessary action. These investigations may be conducted by the officer or externally (lawyers).
3. Westmount Health Facility has 3 posters hung through out the Facility including a phone & fax number for reporting.
4. All reporting is confidential

WHISTLE BLOWER PROTECTION

- No employee because of lawful acts done by the employee in furtherance of a civil action under the act, including investigation may be discharged, demoted, suspended, threatened harassed or discriminated against.

FEDERAL FALSE CLAIM ACT: Imposes civil liability upon any person who knowingly makes a false claim or falsifying records for payment by the government.

DISCIPLINARY PROCEDURES: Against an employee or professional staff who authorizes or participates directly in a violation of a standard, deliberately fails to report a violation of standard, fails to cooperated, retaliates, seeks retribution, encourage non-compliant behavior, or fails to participate in required training.

WEBSITE: Westmount Health Facility has a copy of the Corporate Compliance Manual listed on their website.

<http://www.warrencountyny.gov/westmount/docs/compliance.pdf>

IN SUMMARY:

Corporate Compliance is about complying with regulatory mandates. The ultimate goal of a corporate compliance program is to improve the quality of the care provided to Residents.

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