

Syllabus for Introduction to Health Care Compliance

Professor Lucinda Jesson

Course: **Introduction to Compliance Policies and Procedures**

Credits: 3

Classroom: 105

Time: Tuesdays 4:00—6:40 (one 10 minute break)

Professor: Lucinda Jesson
 Office 229E Grad Building
 Office Hours: one hour before and after class
 Email: ljesson01@hamline.edu
 Cell: 612-817-3046
 Office: 651-523-2519
 Home: 651-699-6769

I have office hours by appointment. Or just drop by -- I am usually on campus and available during the weekdays.

Please email me to schedule something or to make a short inquiry or comment. If you have substantive questions, however, please visit with me either on the phone or in person.

Description

Welcome to Introduction to Health Care Compliance!

This course will cover the basic fundamentals of health care compliance administration, examining written compliance policies and procedures, descriptions of compliance oversight and committees; enforcement and reporting requirements, screening of employees and vendors, negotiating and enforcing corporate integrity agreements, and billing and coding basics. It will incorporate hands-on learning throughout the curriculum including drafting assignments, small group exercises, interviewing skills and project management tasks.

Course Materials:

- All reading assignments are from the required texts Compliance 101 (Second Edition); Medical Coding: What It Is and How It Works (referred to as Medical Coding); and the supplement which must be purchased from the bookstore. All Power Points used by Professor Jesson during the course of the semester will be posted on TWEN after the class ends.

Technology Policy:

In order to facilitate focused interactive class and small group discussion, there will be occasions when the class will be asked to close their notebook computers and/or turn off technology they have been using. At other times, students may use laptops for note taking. **If a student uses classroom time to read or send e-mail messages, visit web sites or engage in any other online or technology based activities (including cellular telephones) that student will have his or her grade lowered by one-half of a letter. If this occurs a second time, that student will be asked to drop the course and will not receive academic credit for the class.**

Course Evaluation:

Subject to the caveat below regarding class preparedness, two thirds of your course grade will be based on one self-scheduled, anonymous, two hour final examination, which shall include essay and objective questions. One third of your grade will be based on a one hour anonymously graded midterm which will include short answer and multiple choice questions. J.D. students will be graded separately from non-J.D. students. The caveat is that your course grade may be adjusted one-half of a letter (up or down) based on class preparedness in accordance with Hamline University Academic Rules 1-107C5 and 1-110. More specifically, I reserve the right to: 1) raise your course grade by one-half of a letter if you participate substantially when not called on or distinguish yourself when called on; or 2) lower your course grade by one-half of a letter if you are not prepared when called on. Your active participation in small group exercises will be assessed as part of your class preparedness. Finally, I reserve the right to give a “pop quiz” during the course of the semester. If I do so, the points earned will be factored into your final grade.

Course Attendance:

At the beginning of each class, I will distribute a class roster for you to sign. If you are absent for more than two classes, your absences will be treated as “excessive” in accordance with Hamline University Academic Rule 1-110 unless you have approval from me in advance.

Assignments:

While this syllabus provides an overview of the materials and topics to be covered, the specific assignments will be updated throughout the semester.

Week One: Overview of the American Health Care System (August 26)

- Identify the major players: Providers, Payers, Regulators, Consumers
- Overview the Providers
- Overview the Payors
- Identify the Regulators
- Examine the role of the consumer/patient

- Discuss the reasons behind escalating health care costs.

Reading: **Every student should bring a news article about health care from the past week to discuss in class.** Read materials Supplement Tab 1.

Week Two: Evolution of Compliance Programs (September 2)

- Examine DOJ and CMS Press Releases
- Discuss Board oversight responsibilities in context of Caremark decision
- Overview sentencing guidelines
- Whistleblowers: the good, the bad and the ugly
- OIG role and Program Guidance for Compliance Programs
- Review a Corporate Integrity Agreement

Reading: Chapter 1 of Compliance 101 and materials at Supplement Tab 2.

Week Three: Basics of a Compliance Plan and Program (September 9)

- Code of conduct
- Gifts and gratuities policies and issues
- Reporting system and non-retaliation policy
- Conflict of interest policy
- Investigation Process and Log
- Effective Whistleblower procedures
- Document retention and destruction policies and procedures
- Examine a compliance plan
- Organizing and integrating the compliance function

Exercise: Draft an assigned policy in your small group for a medium size physician practice

Guest Speaker: Susan Kratz on Development of “action Plans” and Compliance Committees

Reading: Chapter 2 and 3 from Compliance 101 and Sample Compliance Officer Job Description, Compliance 101 appendix at 91-95 plus Supplement Tab 3.

Week Four: Understanding Reimbursement Principles: Let’s begin with Medicare (September 16)

- Program definitions
- Medical Necessity
- Covered Services
- Prospective Payment Issues
- Hospital Inpatient and Outpatient reimbursement basics

- Cost Reimbursement principles
- Practitioner reimbursement
- Long Term care and Home Health Basics
- Role of Intermediaries
- Medicare Appeals Process

Reading: Supplement Tab 4; Medical Coding pages 1-34, 103-114 (and skim pages 35-98).

Week Five: Understanding Reimbursement principles continued: (September 23)

- *The Revenue Cycle in Health Care: the Life of a Bill*
Presentation and interactive examples by Patricia Bower-Jernigan, Allina Hospitals and Clinics
- Coding and Claims submission
- Commercial Reimbursement Basics

Reading: Supplement Tab 6. Chapters 4, 5 and 6 from Medical Coding

Week Six: Medicaid Reimbursement Basics; Communication and Training to Promote a Culture of Compliance (September 30)

- Creating a project plan
- Options for ongoing and initial training: online, onsite and beyond
- Physician Champions
- How to retain ongoing interest in the established compliance training program
- Medicaid Reimbursement Basics

Guest Speaker: Judith Walker, (Vice President and Chief Compliance Officer at Blue Cross Blue Shield Minnesota) on Organizational Training

Exercise: Create a project plan for training at a hypothetical health clinic that services a high number of Medicaid Patients

Reading: Chapter 4 of Compliance 101; Supplement Tab 6.

Week Seven: Compliance Role in Quality of Care (October 7)

- Mandatory reporting of medical errors
- Legal Theories Used to Enforce Quality of Care Concerns (i.e. express false certification, implied false certification and criminal enforcement)
- Incorporating Quality into Compliance: data mining, the hospital quality initiative and beyond

Reading: See Supplement at Tab 7.

Week Eight: Screening and Evaluation of Agents and Vendors (October 14)

- Overview of agency principles
- Conflict of Interest/Code of Conduct Issues
- HIPAA privacy issues
- Credentialing and Licensure Basics

One Hour Midterm Exam

Small group problems regarding a concern of over alleged gifts by a vendor to an employee and an excluded provider

Reading: Supplement Tab 8; Appendix to Compliance 101 at pages 84-85.

Week Nine: Practical Approaches to Internal Investigations (October 21)

- When to investigate and, if you do, who should conduct it
- Who to talk with and how to document
- Securing the documents and data you need
- Attorney Client Privilege Issues and other questions over whether you can protect your investigation from disclosure
- What should the final report look like
- Whether and how to disclose

Reading: OIG Self Disclosure Protocol and “An Open Letter to Health Care Providers,”; The Voluntary Disclosure Process: A Dozen Practical Considerations, See Supplement Tab 9.

There will not be class on October 28.

Week Ten: Dealing with the Outside Investigation (November 4)

- Be prepared: Training and Policies that should be in place before the fact
- Requests for informal interviews
- Employee rights, Employer desires
- When to call the lawyer—how many and who gets one?
- OIG subpoenas and CIDS
- Grand Jury Subpoenas
- Search Warrants

Guest Speaker: Joan Humes, United Health Care, and former First Assistant U.S. Attorney in Minneapolis

Reading: Supplement Tab 10, and Sample Policy on Responding to Search Warrants, Compliance 101 at 88-89.

Week Eleven: Finish Internal Investigation and Overview Auditing and Monitoring Basics (November 11)

- The fundamentals of the internal healthcare audit
- Compliance reviews vs. internal audits
- The Basics of Statistical Sampling
- The role of the Audit Committee

Guest Speaker on basics of the Health Care Audit: Kelly Nueske, Larson Allen

Exercises: Plan and execute one of two investigations: either involving Hospital Short Stay Coding Issues or alleged security breach of electronic medical records

Reading: Supplement Tab 11; Appendix Materials on audits and investigations in Compliance 101, pages 96-97 and 102-109

Week Twelve: Special Issues: Compliance in a Hospital System (November 18)

- OIG Draft Supplemental Compliance Program guidance for Hospitals
- Dealing with Medicare Intermediaries
- Physician financial arrangements and other hot hospital issues

Reading: Supplement Tab 12.

Week Thirteen: Special Issues: Compliance in the Drug and Medical Device Industry and Medical Research (November 25)

- Role of FDA
- Overview of NDA and PMA process for drugs and medical devices
- Special Fraud Alert on Prescription Drug Marketing Schemes and Free Services to Physicians
- OIG Compliance Program Guidance for Pharmaceutical Manufacturers
- Off-label promotion issues

Guest Speaker: Michael Vanselow, Medtronic Attorney and former Deputy MN Attorney General

Reading: Supplement Tab 13.

Week Fourteen: Special Issues in Medical Research and Long Term Care (December 2)

- Fundamentals of Human Research Protection
- Clinical trial billing

- Responsibilities of the Research Integrity Officer
- Recent Justice Department and OIG initiatives against Long Term Care Providers

Reading: Supplement Tab 14.