Practical Guidance and Strategies for Skilled Nursing Facility Compliance & Ethics Programs

Jacqueline Anderson
Anderson@RolfLaw.com
(216) 682-2107
www.RolfLaw.com
www.Evolve-Compliance.com
Surveyor Review

- Is there a CEP?
- Does the CEP have a reporting mechanism?
- Can reports be made anonymously?
- Do staff know how to make a report?

Surveyor Review

- Are there policies?
- Who is the Chief Compliance Officer?
- Education?
- Background/Exclusion Checks?
CEP Effectiveness

DOJ Evaluation of Corporate Compliance Programs

- Is the CEP well designed?
- Is the CEP being applied earnestly/in good faith?
- Does the CEP work in practice?
Risk Assessment

Risk Management Process
What methodology and information do you use to identify, analyze, and address particular risks and inform your compliance program?

Risk-Tailored Resource Allocation
Do you appropriately allocate scrutiny based upon the level of risk involved (i.e., high-risk areas receive greater scrutiny than low-risk areas)?

Updates and Revisions
Do you update your risk assessment in response to lessons learned and problems discovered with the compliance program?

Identification of Risks

Office of Inspector General
- Compliance Guidance for SNFs
- Work Plan
- Corporate Integrity Agreements
- Special Fraud Alerts, Bulletins and Other Guidance

Department of Justice
- News Releases

Internal
- Complaints and Reports
- Audit Results

Trade Publications
Quality of Care  
Resident Rights  
Billing  
Cost Reporting  
Employee Screening  
Kickbacks  
Self-Referrals  
Staffing  
Therapy Services  
Physician Relationships  
Hospices  
HIPAA Privacy & Security  

Strategies & Scenarios
Re: Go Team!

To: 

Lol, I suppose I’ll see you there!

But you got the RUX! 😊

From:
Sent:
To: 
Subject: Re: Go Team!

That’s awesome!!!!

I still feel a little guilty... when I was there last week, I had to move someone’s date up to get an ultra and catch the IV. So I made them double minutes for the lady that day... about 3 hours of therapy for the day. I found out yesterday that she just got put on hospice... am I going to hell in gasoline pants?

At least we got the RUX!

From:
Sent:
To: 
Subject: Go Team!

We met all of our targets for January! This is great news and a major improvement over where we were last month. Keep up the good work!

UPPING THE STAKES
BEING READY
UNDERSTANDING THE PROCESS
Contracting

Anti-Kickback Statute
Stark Law/Physician Self-Referral Law
Authority to Sign
Tracking Process

Quality of Care

Staffing
Comprehensive Care Planning
Medication Management
Resident Safety