



UnitedHealth Group®

Compliance Investigations

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UnitedHealth Group/PSMG

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HCCA Conference



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Overview

- Challenges
- Compliance Investigations
- Tips



- Resources
- Government Oversight/Expectations
- Compliance Investigations
- Reporting (Internal)



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Resources

- Staff (Investigations)
- Hotline
- Compliance Officers
- Legal
- Tracking Tool



- Pressure to have a robust Compliance Program including FWA
- False Claims Act
 - Provider must report over payments
 - Plans must have aggressive program to identify FWA
- Government Audits
 - Are you prepared?
 - *Do you have a program plan*
 - *Do you have policies and procedures*
 - *Do you follow your “P&P’s*



Compliance Investigations (Ethics)

- Develop an Investigative Plan/Strategy
- Do the Allegations Require Immediate Notice to Regulators/Law Enforcement
- Communicating to Executive Leadership
- Program Scope
 - Risk assessments – Identify vulnerabilities to Ethics Violations
 - Are Ethical violations/issues occurring in particular areas of business
 - Proactive Education and training

Compliance Investigations (Ethics) Cont.



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Investigation Plan

- Identify allegations
- Evaluate whether any mandatory reporting
- Conduct Investigation
 - Update Business Leaders as needed
- Collect Evidence
- Conduct Interviews
 - Can be uncomfortable due to internal pressure
- Draft Investigation Report
 - Summary of Investigation
 - Findings
 - Recommendations



Investigation Plan

CASE NUMBER:	XXXX
CASE NAME:	XXXX
REFERRAL DATE:	XXXX
INVESTIGATORS:	<ul style="list-style-type: none"> XXXX XXXX

INVESTIGATION PLAN
<p>This Investigation Plan defines the parameters of the investigation. It includes the steps necessary to gather evidence to complete an investigation. The steps of this investigation plan set forth the documents sought, the interviews to be conducted, and the sequence in which each step of this investigation will transpire. All investigations are fact-based, and conducted in an objective manner, without a pre-determination of whether a violation occurred. If however, the investigation findings suggest or reveal that a violation of law, regulation, policy or other guideline appear to have occurred, the standard evidence or elements required to substantiate each allegation will be documented.</p> <ul style="list-style-type: none"> Statute, Regulation, Policy or other Guideline Citation Elements Needed to Substantiate Violation Preliminary Steps / Background Information List of documents, information, data bases, and sources, and manner used to obtain Interview List and Sequential Plan Findings

STANDARD EVIDENCE REQUIRED TO SUBSTANTIATE EACH ALLEGATION	
The standard evidence or elements required to substantiate each allegation are documented below.	
Allegation(s) List*	Standard Evidence or Elements Required To Substantiate Each Allegation
<ul style="list-style-type: none"> XXXX XXXX XXXX XXXX 	<ul style="list-style-type: none"> XXXX XXXX XXXX XXXX
*include statute, rule, or policy citation or other guideline.	



Investigation Plan

INVESTIGATION STEPS
<p>These steps define the actions the investigator will take to complete the investigation, which may include but are not limited to the following: gathering preliminary background or historical data or information, reviewing files regarding prior allegations or investigations; document retrieval including internal company records, attestations, public or government records, records requiring signed release or consent, financial records, tax records, and other information or screen prints generated by systems or databases; and witnesses to be interviewed; and the sequence in which these activities will occur.</p>
Document List – Documents, information contained, sources, manner used to obtain.
<ol style="list-style-type: none">1. XXXX2. XXXX3. XXXX4. XXXX
Interview List and Sequential Plan <i>(Complainant and Witness Interviews generally precede Subject Interview.)</i>
<ol style="list-style-type: none">1. XXXX2. XXXX3. XXXX4. XXXX
Investigation Plan
<ol style="list-style-type: none">1. XXXX2. XXXX3. XXXX4. XXXX5. XXXX6. XXXX7. XXXX8. XXXX9. XXXX10. XXXX11. XXXX12. XXXX13. XXXX14. XXXX15. XXXX
Findings
<ol style="list-style-type: none">1. XXXX2. XXXX3. XXXX4. XXXX



- Internal & External
- Communicate to Leadership
 - Monthly Reporting
 - Ad Hoc
- Reporting Fraud and other reportable issues to Regulators
 - Coordinate a point of contact with Government



EXECUTIVE REPORT

PSMG INVESTIGATIONS

Ethics/Integrity
Fraud/Abuse
Broker/Agent

PRESENTATION VERSION
FICTIONAL INFORMATION AND DATA FOR ILLUSTRATIVE
PURPOSES

PSMG

Corporate Responsibility & Compliance

Rick Munson, Vice President PSMG Investigations

PROPRIETARY AND CONFIDENTIAL

Month 2010



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CORPORATE RESPONSIBILITY & COMPLIANCE

PSMG INVESTIGATIONS EXECUTIVE SUMMARY REPORTING

CONFIDENTIALITY STATEMENT

CORPORATE CONFIDENTIALITY STATEMENT IN THIS SECTION.

*PSMG INVESTIGATIONS EXECUTIVE REPORT IS FOR
PUBLIC AND SENIOR MARKETS GROUP EXECUTIVE COMMITTEE ONLY.*



Ethics/Integrity Investigations Form

*C*ORPORATE *R*ESPONSIBILITY & *C*OMPLIANCE
PSMG INVESTIGATIONS EXECUTIVE SUMMARY REPORTING

Team: ETHICS/INTEGRITY INVESTIGATIONS		Date: XX/XX/XXXX
ITEMS REQUIRING DECISION		
Name of Issue:		
Situation:		
Background:		
Recommendation:		
INVESTIGATIONS		
CASE CONTROL NUMBER	BUSINESS OWNER	STATUS SUMMARY
UPCOMING		



Special Investigations Unit (SIU)

*C*ORPORATE *R*ESPONSIBILITY & *C*OMPLIANCE
PSMG INVESTIGATIONS EXECUTIVE SUMMARY REPORTING

Team: SPECIAL INVESTIGATIONS UNIT		Date: XX/XX/XXXX
ITEMS REQUIRING DECISION		
Name of Issue: Situation: Background: Recommendation:		
SIU CASE ACTIVITY		
CASE CONTROL NUMBER	BUSINESS OWNER	STATUS SUMMARY
COMPLIANCE ISSUES		
ISSUE	OWNER	STATUS SUMMARY



Compliance Investigations Unit (CIU)

*C*ORPORATE *R*ESPONSIBILITY & *C*OMPLIANCE
PSMG INVESTIGATIONS EXECUTIVE SUMMARY REPORTING

TEAM: COMPLIANCE INVESTIGATIONS UNIT		DATE: 1/XX/XXXX
ITEMS REQUIRING DECISION		
Name of Issue: Situation: Background: Recommendation:		
INVESTIGATIONS		
CASE CONTROL NUMBER	BUSINESS OWNER	STATUS SUMMARY
UPCOMING		



Ten things to know if you're contacted by a government official.

1. If a government investigator approaches you, your Legal Department will assist you in following proper procedures for cooperating with the investigation.
2. In some cases, a government investigator may contact you at home or outside of the workplace. Do not feel pressured to talk with the investigator without first contacting the Legal Department. It is improper for an investigator to pressure you into an interview.
3. You have the right to choose whether or not to speak with the government investigator. Before making that decision, you have the right to consult with your Corporate Legal Department.
4. If you decide against an interview, you should politely decline the request and tell the investigator to contact your Corporate Legal Department.
5. You have every right to inform your supervisor and the Legal Department that an investigator has contacted you. The agent may ask that you keep this fact confidential, but no law prevents you from disclosing this information.



Tips (Cont.)

Ten things to know if you're contacted by a government official.

6. If you decide to answer the investigator's questions, you have the right to insist upon certain conditions, for example, that the interview be conducted during work hours and that your supervisor and a representative from the Legal Department be present.
7. Under no circumstances should you attempt to hide evidence or destroy/alter any documents or other evidence.
8. If you choose to respond to a government inquiry, remember that you must *tell the truth*. Failure to tell the truth may itself constitute a violation of the law.
9. Employees, who receive a subpoena or other official written government request for information in their capacity as employees, should contact the Legal Department before responding.
10. Remember that your company is committed to conducting all activities in compliance with applicable laws and regulations.



Additional Tips

Build relationships with Government

- Trust
- Integrity
- Partnership in the fight against Health Care Fraud
- Be committed to identification, prevention and reporting of Health Care Fraud.
 - *State and Federal laws mandate reporting of fraud.*
- Self-reporting is much better than withholding evidence of fraud you uncover.
- Educate employees:
 - *What to look for*
 - *Obligation to report*
 - *How to report*