

# HCCA Hawaii Regional Conference 2019

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## Objectives

- ▶ *At the end of this session, the participant will be able to:*
  - *Identify how to utilize their risk assessment process for identifying key priority areas for compliance monitoring*
  - *Utilize tools provided for two different monitoring examples*
  - *Network with the group participants on ideas for future compliance monitoring*

## Monitoring - What is it?

- ▶ Monitoring is a tool used to identify any areas of concern or irregularity related to specific areas within any specified timeframe. Other elements include the below:
  - ▶ Methodology is usually informal, ie: peer to peer review, document reviews, check lists, discussions, observations
  - ▶ Business can look at itself (subjective) OR...
  - ▶ Independent view of business area can be done

## Planning for Monitoring based on Risk Assessment Priorities

- Once key compliance priorities are identified in the risk assessment, the compliance auditing and monitoring plan should be developed with the risk assessment priorities driving the plan activity. Result: Risk based plan
- Monitoring is ongoing and done by everyone in the organization.
- Important for management to understand the need for their participation to identify areas which might need action

## Possible Risk Priorities to Consider for Monitoring (from brochure topics) Group Participation

- ▶ *Business associate agreements*
  - *Marketing, fundraising, and research*
  - *Photos, phones, and privacy*
- ▶ *Pitfalls compliance should consider when evaluating volume/value of referrals prohibition*
  - *Fair Market Value vs. Commercial Reasonableness compliance oversight*
  - *Best practices during operation of financial arrangements*

## Possible Risk Priorities to Consider for Monitoring (from brochure topics) Group Participation

- ▶ **Supporting Compliant Billing in Co-located Physician and Hospital Space - From Stem to Stern**

*Providing all services in a convenient location to support patients' health, convenience, and adherence to their treatment plans*

- *Co-location rules and regulations being followed?*

## Possible Risk Priorities to Consider for Monitoring (from brochure topics) Group Participation

### ► **Advanced Practice Practitioners: Risks and Benefits in the Hospital Setting**

#### *Health Systems*

- *Hospital expense vs independently billable service*
- *Stark Law or the Anti-Kickback Statute concerns*
- *Billing and documentation when working with physicians*

## Possible Risk Priorities to Consider for Monitoring (from brochure topics) Group Participation

- *Analysis and reduction of costs during mergers, acquisitions, or other integration efforts*
  - *Missing BAAs*
  - *Standardization of service-level agreements and consolidation of suppliers*
  - *Rapid mining of contracts for specific clauses or language in support of cybersecurity risk evaluation or other regulatory audits*

## Possible Risk Priorities to Consider for Monitoring (from brochure topics) Group Participation

### ► What Hospital and Health Care System Compliance Officers Need to Know When Relying on an External Institutional Review Board (IRB)

*-Overview of the circumstances when hospitals and healthcare systems may need an IRB to review:*

- a) *proposed research*
- b) *uses of investigational drugs, biologics or devices, or the*
- c) *use of PHI for research purposes*
- d) *Selection criteria for your external IRB*
- e) *documenting the arrangement for an external IRB and*
- f) *Are the responsibilities of each party spelled out?*

## *Utilize tools provided for two different monitoring examples- Groups*

### ► Take the monitoring tools available and apply them to one of the objectives from the conference brochure (in previous slides)

- Determine the:
  - Method you will use for monitoring, ie: observation, document review, etc.
  - timeframe
  - The stakeholder that will be help to help get the monitoring done
  - Anticipated outcomes and value that this monitoring will provide to the organization
  - How should this monitoring be shared with the organization?
  - Other points of consideration?

## In summary, Monitoring....

- ▶ should be done by compliance based on the risk priorities identified from the risk assessment
- ▶ is ongoing
- ▶ can be done by any individual
- ▶ is everyone's responsibility
- ▶ can be an early detection mechanism to keep things from moving to a crisis level and to "reactive state"
- ▶ can be efficient and an effective way to help prioritize risk dynamically