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, i.e. 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