

**OFFICE OF COMPLIANCE
PROGRAM EVALUATION
2005**

FACTORS	YES	NO	COMMENTS
COMPLIANCE OFFICER AND COMMITTEE			
Does the compliance program have a clear, well-crafted mission?	<input type="checkbox"/>	<input type="checkbox"/>	
Does the compliance program have sufficient resources (staff/budget), training, authority and autonomy to carry out its mission?	<input type="checkbox"/>	<input type="checkbox"/>	
Is the relationship between the compliance function and general counsel function appropriate to achieve the purpose of each?	<input type="checkbox"/>	<input type="checkbox"/>	
Is there an active compliance committee, comprised of trained representatives of each relevant function department as well as senior management?	<input type="checkbox"/>	<input type="checkbox"/>	
Are ad hoc groups or task forces assigned to carry out special missions, such as conducting an investigation or evaluating a proposed enhancement to the compliance program?	<input type="checkbox"/>	<input type="checkbox"/>	
Does the compliance officer have direct access to the governing body, the Director, all senior management, and legal counsel?	<input type="checkbox"/>	<input type="checkbox"/>	
Does the compliance officer have a good working relationship with other key operational areas, such as internal audit, coding, billing and clinical departments?	<input type="checkbox"/>	<input type="checkbox"/>	

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Does the compliance officer make regular reports to the governing body and other management concerning different aspects of the compliance program?	<input type="checkbox"/>	<input type="checkbox"/>	
POLICIES & PROCEDURES - CODE OF CONDUCT			
Do compliance related policies and procedures exist for relevant topics and risk areas?	<input type="checkbox"/>	<input type="checkbox"/>	
Are P&Ps clearly written, relevant to day-to-day responsibilities, readily available to those who need them, and re-evaluated on a regular basis?	<input type="checkbox"/>	<input type="checkbox"/>	
Are the compliance related policies comprehensive?	<input type="checkbox"/>	<input type="checkbox"/>	
Are compliance related policies understandable and capable of being fully applied?	<input type="checkbox"/>	<input type="checkbox"/>	
Is there documentation to prove that P&Ps and the code of conduct were distributed to all covered individuals?	<input type="checkbox"/>	<input type="checkbox"/>	
Have the requirements of the compliance P&Ps been communicated to employees?	<input type="checkbox"/>	<input type="checkbox"/>	
Does the agency monitor staff compliance with internal P&Ps?	<input type="checkbox"/>	<input type="checkbox"/>	

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Have any audits been conducted to monitor compliance with the P&Ps?	<input type="checkbox"/>	<input type="checkbox"/>	
Have audits revealed fewer errors in areas where compliance related policies have been implemented?	<input type="checkbox"/>	<input type="checkbox"/>	
Upon testing, are the internal controls established by compliance related policies working?	<input type="checkbox"/>	<input type="checkbox"/>	
When interviewing employees during an audit or review, do they understand what the compliance policies require?	<input type="checkbox"/>	<input type="checkbox"/>	
Has the code of conduct been distributed to the governing body, all officers, all managers, employees, contractors and medical staff?	<input type="checkbox"/>	<input type="checkbox"/>	
Has a risk assessment been completed to identify relevant compliance risk areas?	<input type="checkbox"/>	<input type="checkbox"/>	
Does the risk assessment tool include an evaluation of Federal health care program requirements, as well as other publications such as OIG CPGs, Work Plans, Special Advisory Bulletins and Special Fraud Alerts?	<input type="checkbox"/>	<input type="checkbox"/>	

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COMMUNICATION			
Has the agency fostered an organizational culture that encourages open communication, without fear of retaliation?	<input type="checkbox"/>	<input type="checkbox"/>	
Have compliance issue communication policies been implemented and maintained?	<input type="checkbox"/>	<input type="checkbox"/>	
Are compliance issue reporting mechanisms appropriate to the size of the agency in place?	<input type="checkbox"/>	<input type="checkbox"/>	
Are issue reporting mechanisms available to all levels of the agency?	<input type="checkbox"/>	<input type="checkbox"/>	
Are compliance issue reporting mechanisms publicized throughout HCA?	<input type="checkbox"/>	<input type="checkbox"/>	
Have employees been surveyed to evaluate knowledge of the compliance issue reporting mechanism?	<input type="checkbox"/>	<input type="checkbox"/>	
Does evidence show confidence in the issue reporting mechanism?	<input type="checkbox"/>	<input type="checkbox"/>	
Has the agency established an anonymous hotline or other similar mechanism so that staff, contractors, patients, visitors and medical staff can report potential compliance issues?	<input type="checkbox"/>	<input type="checkbox"/>	

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Is the hotline well publicized; are the calls logged, tracked and categorized (to establish possible patterns); does the caller have some way to be informed of the agency's actions?	<input type="checkbox"/>	<input type="checkbox"/>	
Are the results of internal investigations shared with the agency governing body and relevant departments on a regular basis?	<input type="checkbox"/>	<input type="checkbox"/>	
Is the governing body actively engaged in pursuing appropriate remedies to institutional or recurring problems?	<input type="checkbox"/>	<input type="checkbox"/>	
Does the agency utilize alternative communication methods, such as a periodic newsletter or compliance intranet site?	<input type="checkbox"/>	<input type="checkbox"/>	
TRAINING			
Do compliance policies exist requiring employees to receive annual training regarding the compliance program?	<input type="checkbox"/>	<input type="checkbox"/>	
Do new employees receive training regarding compliance program within 90 days of employment?	<input type="checkbox"/>	<input type="checkbox"/>	
Do employees in high-risk (provider/billing) roles receive annual specialized compliance education/training?	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

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Is compliance training provided to other covered individuals (contract employees, contractors, volunteers)?	<input type="checkbox"/>	<input type="checkbox"/>	
Does the content of the training address the operation of the compliance program, substantive issues directly impacting HCA and employees responsibilities?	<input type="checkbox"/>	<input type="checkbox"/>	
Does the agency provide qualified trainers to conduct annual compliance training, including general and specific training pertinent to staff's responsibilities?	<input type="checkbox"/>	<input type="checkbox"/>	
Are tests utilized to evaluate employee comprehension and to measure the effectiveness of compliance training?	<input type="checkbox"/>	<input type="checkbox"/>	
Has the agency evaluated the content of its training and education program on an annual basis and determined that the subject content is appropriate and sufficient to cover the range of issues confronting its employees?	<input type="checkbox"/>	<input type="checkbox"/>	
Has the agency kept up-to-date with any changes in Federal health care program requirements and adapted its education/training program accordingly?	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

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Has the agency evaluated the appropriateness of its training format by reviewing the length of the training sessions; whether training is delivered via live instructors or via computer-based training programs; the frequency of training sessions; the need for general and specific training sessions?	<input type="checkbox"/>	<input type="checkbox"/>	
Does the agency seek feedback after each session to identify shortcomings in the training program, and does it administer post-training testing to ensure attendees understand and retain the subject matter delivered?	<input type="checkbox"/>	<input type="checkbox"/>	
Has the agency formulated the content of its education/training to consider results from its audits and investigations; results from previous training and education programs; trends in hotline reports; OIG, CMS, or other agency guidance or advisories?	<input type="checkbox"/>	<input type="checkbox"/>	
Has the agency's governing body been provided with appropriate training on fraud and abuse laws?	<input type="checkbox"/>	<input type="checkbox"/>	
Is failure to fulfill compliance training grounds for a covered individuals discipline up to and including termination?	<input type="checkbox"/>	<input type="checkbox"/>	
Has the agency documented who has completed the required training?	<input type="checkbox"/>	<input type="checkbox"/>	

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Does the Office of Compliance ensure that employees complete required compliance training and take appropriate steps where employees to not?	<input type="checkbox"/>	<input type="checkbox"/>	
Is there documentation showing disciplinary action for covered individuals who do not complete compliance training or who do not acknowledge the Code of Conduct?	<input type="checkbox"/>	<input type="checkbox"/>	
INTERNAL AUDITING/MONITORING			
Is regular auditing and monitoring conducted?	<input type="checkbox"/>	<input type="checkbox"/>	
Does a written auditing and monitoring plan exist?	<input type="checkbox"/>	<input type="checkbox"/>	
Is the audit plan re-evaluated annually, and does it address the proper areas of concern, considering findings from previous years audits and risk areas identified as part of the annual assessment and high volume services?	<input type="checkbox"/>	<input type="checkbox"/>	
Does the audit plan include an assessment of billing systems, in addition to claims accuracy, in an effort to identify the root cause of billing errors?	<input type="checkbox"/>	<input type="checkbox"/>	
Is the role of the auditors clearly established and are coding and audit personnel independent and qualified, with the requisite certifications?	<input type="checkbox"/>	<input type="checkbox"/>	

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Is the audit department available to conduct unscheduled reviews and does a mechanism exist that allows the compliance department to request additional audits or monitoring should the need arise?	<input type="checkbox"/>	<input type="checkbox"/>	
Has the agency evaluated the error rates identified in the annual audits?	<input type="checkbox"/>	<input type="checkbox"/>	
If error rates do not decrease, has the agency conducted further investigation into other aspects of the compliance program in an effort to determine hidden weaknesses and deficiencies?	<input type="checkbox"/>	<input type="checkbox"/>	
Does the audit include a review of all billing documentation, including clinical documentation, in support of the claim?	<input type="checkbox"/>	<input type="checkbox"/>	
If error rates do not decrease has the agency conducted further investigation into other aspects of the compliance program in an effort to determine hidden weaknesses and deficiencies?	<input type="checkbox"/>	<input type="checkbox"/>	
Are major findings communicated to senior management in a timely manner?	<input type="checkbox"/>	<input type="checkbox"/>	
When appropriate, have govt. agencies been notified of adverse findings in a timely manner?	<input type="checkbox"/>	<input type="checkbox"/>	

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Are overpayments promptly refunded?	<input type="checkbox"/>	<input type="checkbox"/>	
Have audit results been disseminated to appropriate groups for corrective action?	<input type="checkbox"/>	<input type="checkbox"/>	
Do audit results indicate an understanding and compliance of laws, regulations, rules and policies?	<input type="checkbox"/>	<input type="checkbox"/>	
Does analysis of repeat audits indicate a trend of improvement in the understanding and compliance with internal/external standards?	<input type="checkbox"/>	<input type="checkbox"/>	
Are written corrective action plans produced and followed when adverse findings are found?	<input type="checkbox"/>	<input type="checkbox"/>	
INVESTIGATION/RESPONSE AND PREVENTION			
Is a process in place for investigating reports of suspected non-compliance?	<input type="checkbox"/>	<input type="checkbox"/>	
Is a process in place for responding appropriately to discovered non-compliance?	<input type="checkbox"/>	<input type="checkbox"/>	

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Has the agency created a response team, consisting of representatives from the compliance, audit and other relevant functional areas, which may be able to evaluate any detected deficiencies quickly?	<input type="checkbox"/>	<input type="checkbox"/>	
Are all matters thoroughly and promptly investigated?	<input type="checkbox"/>	<input type="checkbox"/>	
Are corrective action plans developed that take into account the root causes of each potential violation?	<input type="checkbox"/>	<input type="checkbox"/>	
Are periodic reviews of problem areas conducted to verify that the correction action that was implemented successfully eliminated existing deficiencies?	<input type="checkbox"/>	<input type="checkbox"/>	
When a detected deficiency results in an identified overpayment, are overpayments promptly reported and repaid to the FI?	<input type="checkbox"/>	<input type="checkbox"/>	
If a matter results in a probable violation of law, does the agency promptly disclose the matter to the appropriate law enforcement agency?	<input type="checkbox"/>	<input type="checkbox"/>	
Are findings, status and outcomes of investigations reported regularly to appropriate oversight bodies?	<input type="checkbox"/>	<input type="checkbox"/>	

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Do oversight bodies record oversight of investigations, response and prevention activities in their Minutes?	<input type="checkbox"/>	<input type="checkbox"/>	
Do written policies and procedures exist for responding to government investigations?	<input type="checkbox"/>	<input type="checkbox"/>	
Can it be demonstrated that on-going harm is halted promptly upon discovery of non-compliance?	<input type="checkbox"/>	<input type="checkbox"/>	
Does a review of closed and on-going investigations show that reports of non-compliance are promptly resolved?	<input type="checkbox"/>	<input type="checkbox"/>	
Are the organization's corrective action responses to compliance investigations consistent with legal requirements and with the recommendations of relevant regulatory agencies?	<input type="checkbox"/>	<input type="checkbox"/>	
Do monitoring efforts indicate that preventative measures taken in response to non-compliance are effective in eliminating future instances of similar non-compliance?	<input type="checkbox"/>	<input type="checkbox"/>	
ENFORCEMENT OF DISCIPLINARY STANDARDS			
Do P&Ps exist addressing enforcement of compliance standards and discipline of individuals who violate them?	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

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Are disciplinary standards well publicized, communicated and readily available to all staff?	<input type="checkbox"/>	<input type="checkbox"/>	
Are disciplinary standards enforced consistently across the agency?	<input type="checkbox"/>	<input type="checkbox"/>	
Is each instance involving the enforcement of disciplinary standards thoroughly documented?	<input type="checkbox"/>	<input type="checkbox"/>	
Covered individuals screened before hire/contract to assure they are not excluded by the OIG or GSA?	<input type="checkbox"/>	<input type="checkbox"/>	
Are covered individuals checked routinely (at least annually) against government sanction lists, including the OIG's List and the GSA List?	<input type="checkbox"/>	<input type="checkbox"/>	
Is compliance an element of performance review and incentive compensation decisions?	<input type="checkbox"/>	<input type="checkbox"/>	