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Sponsor:	<i>Brian Kozik: SVP, COMPLIANCE & PRIVACY</i>
Section:	<i>GA-Corporate Compliance</i>
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GA-004-245 Compliance Education and Training

I. Purpose

The United States Sentencing Commission and U.S. Department of Health and Human Services Office of Inspector General (“OIG”) emphasizes that proper education and training of corporate officers, managers, employees, faculty and contractors, and the continual retraining of those persons at all levels of a healthcare organization, are elements that indicate an effective health compliance program. Broward Health entered into a Corporate Integrity Agreement (“CIA”) with the OIG on 8/31/2015. The CIA requires Broward Health to create and follow a training plan for the education of all Covered Persons.

The purpose of this policy is to establish requirements for distributing Broward Health’s Code of Conduct, collecting Code acknowledgements, and conducting Compliance Program training and education for all Covered Persons.

II. Key Terms

Covered Persons: Includes (a) all owners, officers, directors, commissioners, and employees of Broward Health; (b) all contractors, subcontractors, agents, and other persons who provide patient care items or services or who perform billing or coding functions on behalf of Broward Health excluding vendors whose sole connection is selling or otherwise providing medical supplies or equipment and who do not bill the Federal health care programs for such medical supplies or equipment; and (c) all physicians and other non-physician practitioners who are members of Broward Health's active medical staff. Further, this term shall include part-time and per diem employees, contractors, subcontractors, agents, and other persons who work more than 160 hours during a Reporting Period as prescribed by the CIA.

SVP/Chief Compliance Officer (CCO): The individual responsible for overseeing, implementing, and monitoring the compliance requirements of the Broward Health Compliance and Ethics Program. In addition, this individual also holds the title of Chief Privacy Officer.

Workforce Member: In this policy, includes any employee, independent contractor, agent, trainee, or other person who performs work for or on behalf of Broward Health. This includes full-time, part-time, and pool employees; associates; directors; officers; managers; supervisors; members of the Board and members of standing committees; medical staff employed by or otherwise affiliated with Broward Health;

medical students and all other affiliated students or others receiving training at any Broward Health facility; and others who provide goods or services to Broward Health.

III. Policy

1. The Senior Vice President, Chief Compliance/Privacy Officer (“CCO”) shall be responsible for developing and maintaining Broward Health’s Compliance Training Plan. The Training Plan will include steps to ensure compliance with training and education requirements of the CIA. The Training Plan shall undergo annual review and will be updated as required to reflect changes in Broward Health policy, Federal health care program requirements, any issues discovered during internal audits or the Arrangements Review, and any other relevant information.
2. Updates made to the Annual Training Plan shall be provided to and approved by the OIG prior to the implementation of the revised Training Plan.
3. Workforce Members and Covered Persons in identified high risk areas may receive more specific training related to their job function and responsibilities as part of their Broward Health orientation process and on an ongoing basis.
4. Completion of compliance training is a condition for continued work at Broward Health.
5. Within 30 days of being hired, each new Workforce Member shall receive access to an electronic copy of the Broward Health Code of Conduct (“Code”). Each new Workforce Member shall acknowledge such review and agree to abide by the Code.
6. Each new Workforce Member shall attend Compliance Orientation Training before commencement of employment.
7. All new Workforce Members will be required to complete online general compliance and education training one hour in length with thirty (30) days of employment with Broward Health.
8. Broward Health’s “Annual Compliance Training” will be online include a compliance module and is required to be completed by all Workforce Members and applicable Covered Persons.
9. All Covered Persons shall receive mandatory general compliance education and training of one hour in length annually.
10. After the mandatory general compliance education and training is completed online, management staff will be required to conduct follow-up sessions with their areas to re-emphasize the topics and key points in Broward Health’s Annual Compliance Training. The Corporate Compliance Department will develop Management Talking Points to provide to management for assistance in their follow-up sessions. Each Regional Administration will be required to maintain the follow-up session sign-in sheets.

IV. Procedures

1. All Covered Persons are required to complete general compliance training that includes addressing:
 - a. The overall purpose of the compliance training;
 - b. Explanation for why the compliance program was established;
 - c. Compliance requirements with federal and state statutes, regulations, guidelines;
 - d. Broward Health compliance policies, procedures and Code and how to apply them in work

- situations;
- e. Overview of the Broward Health Compliance Program, including availability of the hotline to report violations;
 - f. Introduction of the CCO and explain his/her role and responsibilities;
 - g. Explain that employees can report problems without fear of retribution or retaliation;
 - h. Ensure that employees understand how to report outside of the chain-of-command, if they believe it is necessary to do so using their employee Hotline;
 - i. Employees' ability to report concerns, allegations and suspected wrongdoing anonymously or, if they identify themselves, they can be assured confidentiality to the limit of the law;
 - j. Broward Health's Corporate Integrity Agreement requirements;
 - k. The legal sanctions under the Anti-Kickback Statute and the Stark Law; and
 - l. Examples of violations of the Anti- Kickback Statute and the Stark Law.
2. For all Covered Persons involved in arrangements with physicians and referral sources, specialized training is required that focuses on:
 - a. Broward Health's CIA requirements and the elements and operations of the Compliance Program;
 - b. Policies, procedures, and other requirements relating to Arrangements and Focus Arrangements, including but not limited to the Focus Arrangements Tracking System, the internal review and approval process, and the tracking of remuneration to and from sources of health care business or referrals;
 - c. The personal obligation of all those involved in the development, approval, management, or review of Broward Health's Arrangements to know the applicable legal requirements and the NBHD's policies and procedures.
 3. Compliance trainers must be knowledgeable of: (a) the Compliance Program; (b) applicable federal laws and regulations; (c) requirements of the Sentencing Commission Guidelines; (d) relevant policies/procedures; (e) operations of the Compliance Program; and (f) content of the Code.
 4. Everyone undergoing training must sign in at the time they receive their training to evidence their participating in the program; and cannot leave the session without it being shown on the sign-in log.
 5. Training protocols and materials must be standardized, to evidence that anyone who signed in for training will have received the same instruction.
 6. Persons attending training shall certify, in writing or in electronic form, that he or she has received the required training. The certification shall specify the type of training received and the date received. The SVP/Chief Compliance Officer (or designee) shall retain the certifications, along with all course materials.
 7. Board of Commissioners compliance training shall include addressing (a) OIG guidance on Board member responsibilities; (b) Broward Health Corporate Integrity Agreement requirements; (c) Compliance Program; (d) unique responsibilities of Board members in overseeing the Compliance Program and risks; and (e) strategic approaches in conducting oversight of a healthcare entity.
 8. Computer-based Training may be provided to meet the training required under this CIA; and, if used, it shall be made available appropriately qualified and knowledgeable staff or trainers to answer questions or provide additional information to the individuals receiving such training.

9. All training will be documented, and the records of participation will be maintained pursuant to Broward Health policies and procedures.
10. The CCO will report periodically to the Executive Compliance Group and Board of Commissioners on the results of the compliance training program.
11. The CCO is responsible for ensuring compliance with this policy.

V. Related Policies and Compliance Documents

- Broward Health Code of Conduct
- North Broward Hospital District, d/b/a Broward Health, Corporate Compliance and Ethics Training Plan

VI. References

DHHS. OIG Supplemental Compliance Guidance for Hospitals. 70 Fed. Reg. 4858, 4865 (Jan. 31, 2005). <https://oig.hhs.gov/fraud/docs/complianceguidance/012705HospSupplementalGuidance.pdf>

DHHS OIG. Publication of the OIG Compliance Program Guidance for Hospitals. 63 Fed. Reg. 35, 8987 (Feb. 23, 1998). <https://oig.hhs.gov/authorities/docs/cpghosp.pdf>

United States Sentencing Commission. Guidelines Manual. United States Sentencing Commission. Guidelines Manual. <https://www.ussc.gov/guidelines/2018-guidelines-manual>

US Code of Federal Regulations § 483.85 - Compliance and ethics program. https://www.govregs.com/regulations/title42_chapterIV_part483_subpartB_section483.85

Broward Health Corporate Integrity Agreement with the DHHS Office of Inspector General, dated August 20, 2015.

Attachments

No Attachments

Approval Signatures

Step Description	Approver	Date
Final Approver	Brian Kozik: SVP, COMPLIANCE & PRIVACY	09/2019
	Jennifer Mosley: EXEC SECRETARY	09/2019