

North Broward Hospital District Board Of Commissioners
1700 Northwest 49th Street, Suite #150, Ft. Lauderdale, 33309

**COMPLIANCE AND ETHICS COMMITTEE MEETING
Immediately Following the Legal Affairs and Governmental Relations Committee Meeting
February 19, 2020**

1. **NOTICE**

Official notice and agenda of this meeting is attached to the Minutes, as EXHIBIT I and EXHIBIT II, as presented for consideration of the Committee.

2. **CALL TO ORDER** 10:20 a.m.

3. **COMMITTEE MEMBERS**

Present: Commissioner Nancy W. Gregoire, Chair
Commissioner Ray T. Berry
Commissioner Stacy L. Angier

Not Present: Commissioner Christopher T. Ure, Vice Chair
Commissioner Marie C. Waugh

Senior Leadership

Additionally Present: Gino Santorio/Chief Executive Officer, President, Alan Goldsmith/Chief Administrative Officer, Alex Fernandez/Chief Financial Officer, Linda Epstein/Corporate General Counsel, Jerry Del Amo/Deputy, General Counsel

4. **PUBLIC COMMENTS** None.

5. **APPROVAL OF MINUTES DATED JANUARY 15, 2020**

MOTION: Compliance and Ethics Committee meeting minutes dated January 15, 2020, *passed without dissent.*

6. **TOPIC OF DISCUSSION**

6.1. Chief Compliance Officer Report – Brian Kozik

6.1.1. Compliance Department Update – Brian Kozik

Mr. Kozik reported on audits and departmental activities for the past month, as listed below.

- Two-Midnight Rule audit completed. Error rate 22%. Corrective plan and training in place. Reported to OIG as a reportable event.

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- Focus Arrangements and Track and Remuneration audit completed for year 4, as recommended by IRO. 12% error rate. Categories listed below:
 - Physician Leadership & Call
 - Physician Lease, Services & Others
 - Managed Care
 - Physician & Resident Employment
 - Services (Non-Physician) and Miscellaneous
- Focus Arrangements, Tracking and Remuneration audit for first quarter of year 5, anticipated completion in March 2020.
- Non-Focus Arrangements audit, anticipated completion in March 2020.
- Observation Stay/Code 44 audit, 50% complete.
- Acute Care Discharge Transfer audit, 40% complete.
- Two additional compliance reviews soon to begin.
 - Inpatient Psychiatric Stays Certification and Re-Certification.
 - Medicare Payments for Bariatric Procedures.
- SafeGuard Services audit of Broward Health Medical Center short stay claims to Medicaid. 42% error rate, report is pending.
- First Coast's Hyperbaric Oxygen Therapy claims audit completed. Minor payback. Six (6) year retroactive review of claims unnecessary due to the low 2% error rate.
- Greenberg Traurig firm impressed with their audit of Broward Health's HIPAA privacy program, including policies and procedures.
- Inpatient Coding audit team, nearly complete, draft reports pending review for Broward Health North & Broward Health Coral Springs.
- C360's 2020 Conflict of Interest Disclosure Survey 70% completed in first two weeks.
- HIPAA breaches end of the year report completed.
- Arrangement Contract Payment Guide completed, launching soon.
- Corrective action plan tracking sheet implemented Systemwide.
- Current open positions for Compliance Auditor and Regional Compliance Manager for Ambulatory/ and CDTC.

6.1.2. OIG/CIA Update – Brian Kozik

- CIA Fourth Annual Report completed and received by OIG.
- Four (4) HIPAA breaches for reported for month of January.
- Sleep Study (6) year look back audit completed, resulting in a \$1,168,000 payback. Due to high error rates, corrective action plans were put in place with quarterly audits.
- Mid-year update report on status of IRO's recommendations pending.

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- February 24 & 25, Board & Audit Compliance Conference. General Counsel and OIG Monitor presenting on panel.
 - Compliance Work Plan, (25) reviews for FY 2020
 - (7) completed reviews (include Gold Coast Home Health, Hospice and Two-Midnight Rule)
 - (4) reviews in process and (2) pending commencement
- (4) Reviews for enterprise risk assessment process pending:
 - GME
 - Coding of Acute Care Discharges
 - Clinical Research
 - Inpatient Psych Compliance
- (11) Audits in process or pending initiation
 - MOON/Observation
 - Acute Care Discharge Transfers
 - Physicians at Teaching Hospitals
 - Focus Arrangements Fiscal Quarter 1 and Quarter 2
 - Non-Focus Arrangements
 - EMTALA
 - Three Day Window
 - Tracking & Renumeration
 - Quarterly Coding Audits
 - High Cost Medications

6.2. Special Compliance Liaison to Board of Commissioners-Steve Forman, Board of Commissioners Compliance Consultant

Mr. Forman presented the history on the False Claims Act, which was passed in 1863, also known as Lincoln Law. He touched on several cases and penalties for claims that were never actually performed or deemed unnecessary.

7. **ADJOURNMENT** 11:01 a.m.

Respectfully submitted,
Commissioner Stacy L. Angier, Secretary/Treasurer