

(Insert Name of Practice)

Health Care Law Compliance Plan

Effective Date: _____, 2011

Compliance Policy and Code of Conduct:

The Practice is committed to the delivery of patient care in a professional, ethical, and medically appropriate manner. With that mission in mind, we will strive to:

1. Operate in full compliance with all applicable federal and state laws and regulations.
2. Only submit for reimbursement those services that are medically necessary and appropriate, and that were ordered by an appropriately licensed clinician.
3. Not solicit, accept or offer any gift or gratuity of more than nominal value to or from patients, potential referral sources, and other individuals and entities with which we have a business relationship.
4. Not allow any act of retaliation or reprisal to be taken against any employee or contractor who reports a violation of law, regulation, policy, or a violation of any aspect of this Compliance Policy.

This Compliance Policy and Code of Conduct must be observed at all times by all licensed health care providers and technicians, employees and contractors of our Practice. An open-door policy is in place to receive any complaints or concerns of employees or contractors regarding compliance issues. Failure to comply with this Compliance Policy and Code of Conduct will be considered grounds for disciplinary action, up to and including discharge.

Our Practice Administrator, _____, is designated as our Compliance Officer. _____ will be in charge of the Practice's compliance and code of conduct program. _____ will ensure that the program is appropriately implemented and maintained in accordance with governmental regulations and the standards set forth in this Compliance Plan. This will include periodic evaluations to ensure the effectiveness of the Plan.

Any and all concerns regarding this program, or violations of the standards set forth in this Plan, must be directed to _____, or to Dr. _____ will also be in charge of coordinating efforts with outside auditors and other experts retained by the Practice to assist in compliance and ethics matters.

Our Practice will regularly audit and monitor its professional and business activities to identify and correct any problems or issues that may effect compliance with applicable laws, regulations and policies.

Procedures:

1. Audits will be performed on a periodic basis, as determined by Dr. _____ and the Practice Administrator, to examine our Practice's claims process from initiation of patient services through the submission of a claim for payment. These periodic audits will be conducted of medical records and claims prior to submission for payment. They will be random audits with random claim samples taken from key steps of the billing process. Specific attention will be paid to the accuracy and completeness of the documentation and the coding for the services provided.

2. Generally, audits will be used to determine whether:

- a. bills are accurately coded and accurately reflect the services provided;
- b. services or items provided are reasonable and necessary;
- c. any incentives for unnecessary services exist; and
- d. medical records contain sufficient documentation of symptoms and other clinical information to support the diagnosis, plan of treatment, the medical necessity of the services provided, and the fee charged.

3. Audits may focus on the following:

- a. Compliance with applicable laws and regulations, including provider self-refer laws;
- b. Billing and coding;
- c. Documentation;
- d. Claims preparation and submission;
- e. Reimbursement;
- f. Areas of concern previously identified by any outside entity (e.g. notice from a carrier of improper use of a code), or concerns identified internally within the Practice; and
- g. Compliance with specific policies that have been the focus of particular attention by the Medicare intermediary or the Centers for Medicare and Medicaid Services ("CMS").

4. The Practice will be retaining an outside, independent auditor who is a certified medical billing coder. This auditor will perform audits, as described in paragraph 1 of the Procedures, on a quarterly basis at the beginning of each quarter of the year for the prior quarter. If the audit identifies any problems,

then, under the direction and supervision of the auditor, corrective actions will be taken as described below in paragraphs 5 through 7 of this Policy.

5. If problems are identified, corrective action will be taken as appropriate. This may include follow-up audits to ensure that any problems have been properly corrected, or that focused reviews have been conducted on a more frequent basis using this audit process. When audit results reveal areas in which additional information or education of employees and clinicians is needed, these areas will be incorporated into the Practice's training and education on compliance.

6. If the problems identified in any internal Practice audits reveal a level of error that our Practice finds unacceptable, we will involve an independent, outside auditor to assist in correcting the problems and to conduct periodic audits until it is determined that the problems have been adequately corrected.

7. Practice employees who are directly involved with billing and/or coding will receive training specific to their responsibilities. The Practice will ensure that current resource materials relating to ICD-9, HCPCS and CPT coding are available to those employees involved in the billing process.

8. Employees who believe that anyone in the Practice has violated this Policy and Code of Conduct must immediately report their belief to Dr. _____ or the Practice Administrator. If the employee believes that these individuals have been involved in the violation, then the report is to be made to the outside, independent auditor who the Practice will be retaining as an element of this Compliance Plan.

9. The reporting employee's confidentiality will be maintained to the extent reasonably possible consistent with a thorough investigation of the alleged violation and the taking of remedial actions, if any is warranted. The Practice will take all reasonable and necessary steps to protect a reporting employee from any retaliatory action for making a report.

10. All employees are obligated, as a condition of their employment, to cooperate with any such investigation and any remedial action. Employees are subject to discipline, up to and including discharge, for any failure to report suspected violations and to fully cooperate with any investigation.

11. The Practice's compliance and ethics program will be promoted and enforced consistently throughout the Practice with periodic training, educational opportunities, and appropriate incentives for all Practice employees, both physicians and staff, to perform in accordance with the compliance and ethics standards established by this Plan.

12. A copy of this Compliance Plan will be provided to every Practice employee, both physicians and staff, who must sign and date an acknowledgment form that they have received, read, understand, and intend to comply with this Plan. Employees will be provided with a copy of their signed acknowledgment form, and the original will be maintained by the Practice Administrator in each employee's personnel file.

13. A copy of this Compliance Plan, and the identity and contact information for the outside auditor retained by the Practice in accordance with this Plan, shall be posted on the bulletin board (fill in location) where other employee notices are posted.