



# COMPLIANCE AND ETHICS TRAINING POLICY

## PURPOSE

this policy establishes the framework for employees and Business Associates to receive the appropriate training relative to compliance, ethics and HIPAA and comply with all state, federal and company compliance requirements and policies.

## SCOPE

This policy applies to all employees and Business Associates of LADD.

## POLICY

It is the policy of LADD to ensure that all employees and business associates receive appropriate training in the Compliance and Ethics Program and their responsibilities to adhere to program policies.

## STANDARDS AND DEFINITIONS

The goal of compliance training is to ensure that all LADD employees and Business Associates are aware of the laws, standards and policies so they are able to exhibit effective day-to-day decision-making and actions, ensure consistent application, prevent or limit situations that may put the organization at risk both legally and financially and finally promote positive working relationships.

Compliance and Ethics training will include the following topics:

**Deficit Reduction Act (DRA)** - The DRA includes several sections that affect entitlement programs and written to increase enforcement for fraud, waste and abuse. There are both State and Federal versions that establish systems for investigating and prosecuting lawbreakers and collecting fines and overpayments. The Medicaid Integrity Program (MIP) is one of those systems.

**False Claims Act** - The False Claims Act among other things makes it a crime to file a false claim to the government for payment.

**Federal Anti-Kickback Statute** - The Federal Anti-Kickback Statute prohibits the offer, payment or acceptance of money (or anything of value), directly or indirectly, overtly or covertly in return for referring for a service or purchasing of goods referring an individual to a person for the for the furnishing or arranging for the furnishing of any item or service for which payment may be made in whole or in part under a Federal health care program.

**Whistleblowers Protection Act** - a law to protect employees by making it so an employer cannot discharge, threaten, or otherwise discriminate against an employee because the employee reports or is about to report a violation of the law.

**Health Insurance Portability and Accountability Act (HIPAA)** - An act passed by congress requiring national standards for the electronic exchange, privacy and security of health information.

**Health Information Technology and Education for Clinical Health Act (HITECH)** - An additional act passed to supplement HIPAA standards by establishing increased penalties and enforcement for violations of confidentiality.

Additional content will include an overview of the Compliance and Ethics Program, reasons/benefits of the program, the elements of the program, expected employee behavior/conduct and reporting obligations.

All employees and Business Associates are trained that they must immediately report to the CCO, any suspicion of fraud, waste, or abuse in connection with the business of LADD as well as suspected breach of confidentiality events.

Employees will be trained at time of hire, annually and when entering into a management position. Employees may also receive remedial training as part of the discipline process. Business Associates will be trained per the Business Associate Policy.

## **PROCEDURE**

### **New Hires**

1. All new Employees must attend New Hire Orientation prior to beginning work.
2. When available the CCO or designee will participate in the compliance portion of New Hire Orientation and New Management Training (if applicable).
3. Employees will be given an opportunity to ask questions.
4. Training records will be maintained by the Human Resource Department.

### **Current Employees**

1. All current Employees must complete on-line compliance training on an annual basis. Failure to do so may subject the employee to disciplinary action.
2. Training records will be maintained by the Human Resources Department.
3. As part of the discipline process an employee may be required to complete additional compliance training. Record of the required training will be documented through the investigation process (see Investigation Policy). Proof of completed training will be maintained by the Human Resource Department.
4. All employees entering into a management position will receive additional compliance training with proof of training maintained by the Human Resource Department.
5. Each member of the management team will receive training regarding use and access to the Manager's Manual contains training materials and resources. All materials are arranged to maximize access and ease of use so Management provide training and education to employees. The Management Manual is available in the Remote Desktop.
6. The LADD Directory which contains LADD Policies, the Handbook Code of Conduct, CEP and other valuable resources is available by logging in on the LADD website.
7. Several Quality Assurance documents, Corporate Compliance documents and training materials are available on line for management, employees, people supported/guardians and other stakeholders.
8. Each member of the Management Team receives training on the policies, procedures and expectations of LADD on a routine basis by PPF (Policy, Procedure, Forms) online training and at staff and management meetings.
9. The minutes of all committees are available for review.
10. CARF manuals are available for review by management.
11. Administrative staff will receive ongoing continuing education training in specialty areas and in turn train the Management Team.
12. Additional trainings will be made available to all management staff.
13. Outcome reports will be reviewed by members of management for input on how to improve or maintain quality services.