

THE SIXTH ANNUAL National Congress on Health Care Compliance

Enhancing the Role of the
Compliance Officer (CO)
A Panel Discussion

Presented by:

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...the Role of the CO

Outline of Presentation

- Looking at the role of the CO from different vantage points:
 - ◆ Expanding or Enhancing
- What should our perception of the role be?
 - ◆ The answer to this question is relevant to the future of the CO professional
- How MMC has approached this issue.

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Montefiore Medical Center Profile

- Montefiore Medical Center is a voluntary, not-for-profit ACUTE care teaching hospital located in Bronx, New York.
- MMC is the university hospital for and the primary affiliate of the Albert Einstein College of Medicine.
- Montefiore currently has 1062 certified beds at two facilities in the Bronx: the 706 bed Henry & Lucy Moses Division and the 356 bed Jack D. Weiler Hospital of the Albert Einstein College of Medicine.
- We operate an 80-bed skilled nursing facility,
- one of the nation's largest hospital-based home health agencies,
- two methadone maintenance treatment programs,
- NY State's largest hospital-sponsored renal dialysis program and
- 22 primary care network sites (MMG) located throughout the Bronx, Westchester and Manhattan

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Montefiore Medical Center Profile (continued)

- Montefiore has a CMO/IPA with contracts for full risk capitation covering an enrollment of approximately 115,000 lives.
- MMC has strategic alliances with Bentley Health Care, Inc. expanding existing cancer and HIV/AIDS services and
- with BRANY for clinical trials research.
- Montefiore has recently added a jewel to their crown: The Children's Hospital at Montefiore.
- MMC has approximately 11,000 full-time associates.
- Our 2002 operating revenue was \$1.3 Billion.

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Introduction

To Expand –

Inflected forms: **ex·pand·ed**, **ex·pand·ing**,
ex·pands

- 1. To increase the size, volume, quantity, or scope of; enlarge:

To Enhance –

Inflected forms: **en·hanc·ed**, **en·hanc·ing**,
en·hanc·es

- 1. To make greater, as in value, beauty, or effectiveness; :

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Introduction (continued)

- Are we 'Expanding' or 'Enhancing' our role as Compliance Officers in the following areas?

- ◆ Corporate Responsibility
- ◆ Patient Safety & Quality of Care
- ◆ Privacy, Data Security & HIPAA
- ◆ Ethics
- ◆ Risk Management
- ◆ Bio-Security
- ◆ The Sarbanes-Oxley Act



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Introduction (continued)

The 7 Elements of the OIG 's Guidelines for Compliance Programs

- The development and distribution of written standards of conduct, as well as written policies and procedures...
- The designation of a chief compliance office...
- The development and implementation of regular, effective education and training ...
- The maintenance of a process, such as a hotline, to receive complaints, and to protect the anonymity of complainants ...
- The development of a system to respond to allegations of improper/illegal activities...
- The use of audits and/or other evaluation techniques to monitor...
- The investigation and remediation of identified systemic problems...

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Montefiore Medical Center's Compliance Program

- MMC's Table of Organization
- From the beginning, MMC has viewed the role of the CO as broad and all encompassing

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- At MMC, the OCC is viewed as an integral part of our corporate culture as evidenced by the office's involvement in the following seven areas -
 - ◆ Corporate Responsibility
 - ◆ Patient Safety & Quality of Care
 - ◆ Privacy, Data Security & HIPAA
 - ◆ Ethics
 - ◆ Risk Management
 - ◆ Bio-Security
 - ◆ The Sarbanes-Oxley Act

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1. Corporate Responsibility

- The Organization as a 'Good Citizen'



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2. Patient Safety and Quality of Care

- The Compliance Resolution of the Board of Trustees of MMC _
- Participation by the CO in such Organizational Committees as Risk Management, Quality Improvement and New Associate and Ongoing Staff Orientation
- The Leadership Workshop for Compliance Liaisons, September 20, 2001 _

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3. Privacy, Data Security and HIPAA

- Participates in all HIPAA Implementation Committees
- Responsible for Organizational Wide Corporate Compliance Training that includes a HIPAA Component _
- HCCS HIPAA Training Module _

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4. Ethics

- A Guide to the Montefiore Compliance Program _
- MMC Code of Ethics _
- “On the simplest level, compliance means adhering to all of the laws and regulations that apply to Montefiore’s operations as a health care institution. But beyond compliance with the law, there are additional standards of conduct that are based on professional standards and ethical principles and which emphasize integrity, honesty, justice and equity. I would encourage each of you to think of compliance in this broader sense. There are many situations for which there are no applicable laws and regulations, and there are plenty of actions that are unethical even if not illegal. “

Excerpted from a speech given to the MMC Compliance Liaisons on September 20, 2001 by Spencer Foreman, M.D.

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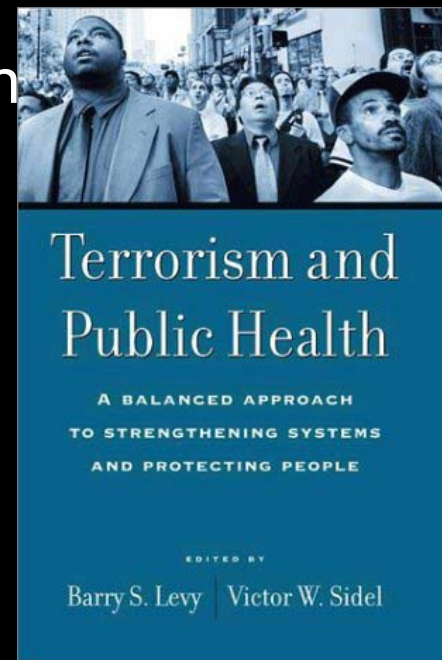
5. Risk Management (RM)

- Reciprocal Protocols for Information Transfers between the Departments of Risk Management and the Office of Corporate Compliance
- Collegial working relationship with the Office of Legal Affairs
- Hot Line issues effecting such areas as professional liability, human resources and regulatory concerns are referred to RM for investigation, resolution and follow up

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6. Bio-Security

- Participation as a member of the MMC Disaster Committee
- Multidisciplinary Representation
- Includes a Bio-Security component



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7. The Sarbanes – Oxley Act

- Many of the requirements currently applicable to the Healthcare Industry are covered by the existing Montefiore Medical Center Code of Conduct which is incorporated into A Guide to the Montefiore Compliance Program
- Effective January 2003, modifications have been made in the membership, responsibility and reporting requirements to the Audit Committee of the BOT and to the Corporate Compliance Committee

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Conclusion

- MMC views the role of the Compliance Officer as one that requires response to the ever occurring changes taking place in Healthcare and, therefore, as being 'Enhanced' by these new challenges _____



- ◆ Corporate Responsibility
- ◆ Patient Safety & Quality of Care
- ◆ Privacy, Data Security & HIPAA
- ◆ Ethics
- ◆ Risk Management
- ◆ Bio-Security
- ◆ The Sarbanes – Oxley Act