

TABLE OF CONTENTS

PART I

	Page
I. INTRODUCTION.....	1
A. Overview.....	1
B. The Federal Fraud and Abuse Laws and Regulations	5
1. Overview.....	5
2. False Statements Related to Health Care Matters.....	6
3. The Anti-Markup Rules ("AMR").....	7
4. Anti-Kickback Statute ("AKS").....	9
5. Stark and Self-Referrals.....	28
6. Obligation to Return Funds.....	59
7. Other Laws.....	59
8. Self-Disclosure.....	60
C. Additional Risk Areas	60
1. Local Medical Review Policy.....	60
2. Advance Beneficiary Notice of Non-Coverage (ABN).....	60
3. Physician Liability for Certifications in the Provision of Medical Equipment and Supplies and Home Health Services.....	62
4. Billing for Non-Covered Services as if Covered.....	63
5. Billing Practices.....	63
6. Billing by Non-Participating Physicians.....	63
7. Checking for Sanctioned Providers.....	64
D. Protective Measures.....	64
1. Conduct Internal Self-Auditing and Monitoring.....	65
2. Implement Compliance and Practice Standards, including a Code of Conduct.....	72
3. Designate a Compliance Officer or Contact(s).....	75
4. Conduct Appropriate Training and Education Programs.....	75
5. Respond to Violations and Develop Corrective Actions.....	77
6. Responding to Investigations and Inquiries.....	77
7. Develop a Process to Communicate.....	78
8. Enforce Disciplinary Guidelines.....	78
9. Internet Resources.....	79
E. Employment Hiring and Termination	80
1. New Employee Policy.....	80
2. Employment Termination.....	80
F. Moving Forward	82

PART II

I.	"MODEL" COMPLIANCE PLAN.....	1
A.	Introduction.....	1
B.	Compliance Mission Statement.....	1
C.	Compliance Personnel	2
	1. Compliance Officer/Contact	2
	2. Assistant Compliance Officer/Contact	3
D.	Training and Education	3
	1. Positions Affected.....	4
	2. Mandatory Attendance	4
	3. Expense Reimbursement.....	5
E.	Coding, Billing and Collections	5
	1. Coding and Documentation	5
	2. Claims Submission	6
	3. Collections	7
F.	Communication and Reporting	8
	1. Dissemination of Materials	8
	2. Questions and Concerns.....	8
	3. Reporting of Violations or Suspected Violations	9
	4. Confidentiality	9
	5. Investigation and Remedial Action.....	10
	6. Disciplinary Action	10
G.	Auditing and Monitoring	11
H.	Responding to Inquiries	12
I.	Hiring and Employment Termination	13
	1. Hiring	13
	2. Employment Termination	13

PART III

1. SELECTED MAJOR ANTI-KICKBACK (AKS) SAFE HARBORS
2. ANTI-KICKBACK FLOW CHART
3. KEY STARK REGULATIONS AND STARK FLOW CHART
4. FEDERAL ANTI-MARKUP REGULATION
5. COMPLIANCE OFFICER/CONTACT(S) JOB DESCRIPTION
6. RECORD OF COMPLIANCE TRAINING
7. INCIDENT REPORT FORM
8. HOW TO RESPOND TO EXTERNAL FRAUD INVESTIGATIONS AND INQUIRIES
9. REPORTING SUSPECT CONDUCT
10. EXIT INTERVIEW FORM

ADDITIONAL TOOLS

- A. GENERAL COMPLIANCE PLAN PROGRAMS
- B. AMENDMENT TO POLICY MANUAL
- C. PRACTICE ETHICS POLICY CODE OF CONDUCT
- D. INTERNET RESOURCES

PART IV

COMPLIANCE TRAINING