

Compliance Policy & Plan

Effective Date: 01/01/2018

Policy

- A. It is the policy of the ACO to ensure that the ACO, all Next Generation Participants, Preferred Providers, ACO Professionals, and other individuals or entities performing functions or services related to ACO Activities comply with the applicable terms of the Next Generation ACO Model Participation Agreement between the ACO and CMS and all applicable statutes, regulations and guidance, including without limitation: (a) federal criminal laws; (b) the False Claims Act (31 U.S.C. Section 3729 et seq.); (c) the anti-kickback statute (42 U.S.C. Section 1320a-7b(b)); (d) the civil monetary penalties law (42 U.S.C. Section 1320a-7a); and (e) the physician self-referral law (42 U.S.C. Section 1395nn)..

Applicability

This policy and procedure applies to all Next Generation Participants, Preferred Providers, Next Generation Professionals, and other individuals or entities performing functions or services related to the ACO's activities.

Procedure

- A. The ACO has developed a Compliance Plan document which outlines the elements of the ACO's Compliance activities, and is designed to promote a culture within the ACO of integrity, ethical behavior, and compliance with applicable laws and regulations.
 1. The Compliance Plan is drafted and updated by Compliance then reviewed and approved by the ACO's Governing Body.
 2. The Compliance plan is reviewed and updated at least annually, and as needed, to meet the most updated legal and regulatory requirements.
- B. As part of the Compliance Plan, the ACO has established the following:
 1. A designated Compliance Officer or individual who is not legal counsel to the ACO and reports directly to the ACO's Governing Body;
 2. Mechanisms for identifying and addressing compliance problems related to the ACO's operations and performance;
 3. A dedicated Compliance Hotline number for employees or contractors of the ACO, its Next Generation Participants and Preferred Providers, and other individuals or entities performing functions or services related to ACO Activities to anonymously report suspected problems related to the ACO to the Compliance Officer;
 4. An effective training program for the ACO and its Next Generation Participants and Preferred Providers, to be performed during ACO orientation upon hire or contracting, at

Compliance Policy & Plan

Effective Date: 01/01/2018

least annually and when changes in applicable laws and regulations warrant dissemination of updated information and training, including training on the Compliance Program, the Health Insurance Portability and Accountability Act (HIPAA), and fraud, waste and abuse (FWA); and,

5. A requirement for the ACO to report probable violations of law to an appropriate law enforcement agency

Reporting

- A. N/A

Related Documentation

- A. Next Generation ACO Model Participation Agreement Section XVII.
- B. ACO Terms & Definitions Policy
- C. Code of Conduct
- D. Code of Conduct Policy
- E. Compliance Hotline Policy
- F. Compliance Plan
- G. Compliance Program
- H. Designation of a Compliance Officer
- I. Reporting Probable Violations of Law Policy
- J. Training & Knowledge Updates Policy