

Code of Conduct Training

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INTRODUCTION

In this presentation you will learn about:

- Deficit Reduction Act (the DRA), a federally mandated program
- False Claims Act
- We will cover the Code of Conduct and what ADMH expects from you

Seriously?

We have to go through this training again?

Yes, the Code of Conduct is required to be reviewed and signed annually by ALL staff of YCADMH.



Deficit Reduction Act (DRA)

- DRA established the Medicaid Integrity Program
- Provides funding for auditors
- Increased the amount of funding the Office of Inspector General (OIG) receives for investigation purposes
- An expected \$11 billion cut in Medicaid and Medicare over 5 years

FALSE CLAIMS ACT

- “Any person who knowingly presents or causes to be presented to the U.S. government a false or fraudulent claim for payment or approval” is liable for criminal or civil penalties.



DEFINITIONS

The statute defines knowing and knowingly as meaning that the person

(1) has actual knowledge of the information

(2) acts in deliberate ignorance of the truth or falsity of the information

(3) Acts in reckless disregard of the truth or falsity of the information.

Reasons for recoupment and potential areas of concern...

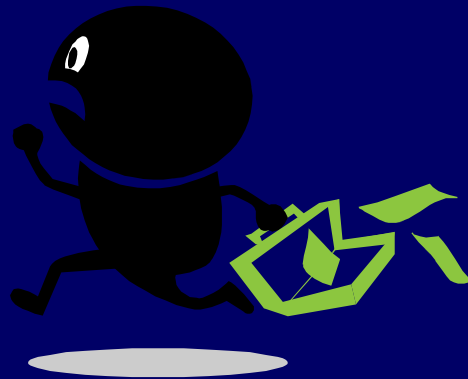
- Missing progress notes
- Progress notes that fail to speak to the service billed
- Lack of documented medical necessity
- Billed services that were outside the scope of practice of the provider
- Using federal funds to provide services to undocumented individuals
- Inappropriate use of client information

THIS IS IMPORTANT

- THE FEDERAL GOVERNMENT IS NOT REQUIRED TO PROVE ACTUAL INTENT TO SUBMIT FALSE CLAIMS IN ORDER TO ESTABLISH LIABILITY UNDER THE FALSE CLAIMS ACT.

FINES – OUCH!

- Federal penalties are three times the amount of the claim plus between \$5,500 - \$11,000 per claim
- California State will also fine three times the amount of the claim and up to \$10,000 per claim.



WHAT DOES THIS MEAN TO YOU

You have the right/duty to report fraudulent activities to the federal government, state government or to the compliance officer

- **Compliance Hotline 800-391-7440**
- **E-mail (tiffany.greer@yolocounty.org)**
- **Phone (530) 666-8788**
- **Visit (Upstairs)**

Whistleblower Protection ACT

- US Government & the State of California both have Whistleblower Protection Acts

WHISTLEBLOWER'S PROTECTION

Your employer, as a result of your either participating in an investigation, or in response to your filing a false claims report cannot:

- Fire you
- Harass you
- Deny you promotion

CODE OF CONDUCT

- As stated in the C of C, the code cannot be all-inclusive. ADMH relies on your honesty and integrity to assess situations. When in doubt ask your supervisor, someone in your chain of command, or your Compliance Officer.

What's New in the Code of Conduct?

Dual Relationships

Definition: Having interaction with a client in both a professional and personal capacity.

- Contact with clients outside of work duties
- Social Networking on the Internet

Contact with Clients Outside of Work Duties

- Incidental Contact, such as running into a client at a store
 - Appropriate Response in that situation?
- Friends/Family who are/become clients
 - Avoid interaction with them at work (when they come in for appointments)
 - Do not access their records
 - Do not engage/participate in conversations with colleagues about your friend or family member ¹⁵



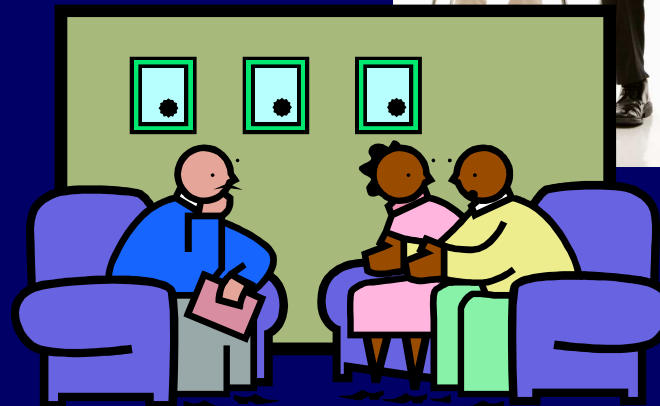
Friendships/
Romantic
Relationships
with Clients



Social Networking

- Do not “friend” a client or client’s family members on a social networking site.
- Do not post information about a client on a social networking site.
- Do not search for a client or client information on a social networking site.
- If you are friends with someone through social networking who later becomes a client (or you later find out they are a client or family member of a client), remove yourself from working with them professionally.

Boundaries: Keep Your Personal Life and Work Life Separate when it comes to Clients



WHAT DOES ADMH EXPECT?

- Comply with Federal and State laws and regulations.
- Comply with regulatory mandates for licensure.
- Comply with County and ADMH Policies and Procedures.
- Do not falsify medical records.
- Document accurately and to the best of your ability.
- Reasonable, Ethical, & Professional Behavior.
- When in Doubt, Ask for Guidance!

Thank you for participating!

Questions?

