

# Do You Have the Manuals You Need to Assure Compliance?

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**The information contained herein and presented by the speakers is based upon sources believed to be accurate at the time they were referenced.**

**The speakers are not engaged in rendering legal or professional services other than risk management. If legal advice is required, the services of an attorney should be sought.**

**This document was designed for discussion purposes only and is not intended to present detailed information on our analysis and findings. It is incomplete and not intended to be used without the accompanying oral presentation.**

# Why Compliance?

- *To manage risk*
- *To improve patient safety*
- *To increase quality of care*

<https://www.mgma.com/Libraries/Assets/Education%20and%20Certification/Certification/Body%20of%20Knowledge/BOK-Overview-Brochure.pdf?ext=.pdf>

*The MGMA has organized the vast array of information a practice administrator must handle into categories for purposes of professional certification. These categories include:*

- *Operations Management*
- *Financial Management*
- *Human Resource Management*
- *Risk and Compliance Management*
- *Organizational Governance*
- *Patient-Centered Care*

- Life Safety Code
  - <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/CertificationandCompliance/LSC.html>
  - Florida Fire Prevention Code - [5th Edition FFPC Online](http://www.nfpa.org/codes-and-standards/all-codes-and-standards/codes-and-standards/free-access?mode=view&t=other&c=FFPC2014) - <http://www.nfpa.org/codes-and-standards/all-codes-and-standards/codes-and-standards/free-access?mode=view&t=other&c=FFPC2014>
- OSHA – Compliance Assistance Quick Start ([https://www.osha.gov/dcsp/compliance\\_assistance/quickstarts/health\\_care/index.html](https://www.osha.gov/dcsp/compliance_assistance/quickstarts/health_care/index.html))
  - Safety Data Sheets - <http://chemicalsafety.com/sds-search/>
  - Bloodborne Pathogens - <https://www.osha.gov/Publications/OSHA3187/osha3187.html>
  - [Small Business Handbook](https://www.osha.gov/Publications/smallbusiness/small-business.html) - <https://www.osha.gov/Publications/smallbusiness/small-business.html>
  - Workplace Violence Prevention in Healthcare - [https://www.osha.gov/dsg/hospitals/workplace\\_violence.html](https://www.osha.gov/dsg/hospitals/workplace_violence.html)
  - [OSHA's Guidelines for Preventing Workplace Violence for Healthcare and Social Service Workers](https://www.osha.gov/SLTC/workplaceviolence/evaluation.html) - <https://www.osha.gov/SLTC/workplaceviolence/evaluation.html>

- Emergency Preparedness
  - <https://www.norcal-group.com/irma>
  - HHS TRACIE – Healthcare Emergency Preparedness Information Center
    - <https://asprtracie.hhs.gov/technical-resources>
    - <https://asprtracie.s3.amazonaws.com/documents/aspr-tracie-hurricane-resources-at-your-fingertips.pdf>
  - HHS Resources for Professionals
    - <http://www.phe.gov/emergency/events/irma2017/Pages/professionals.aspx>
  - The Florida Virtual Business Emergency Operations Center
    - Toolkit - <http://www.flvbeoc.org/index.php?action=toolkit>
  - The Florida Health Information Exchange
    - <https://www.florida-hie.net/>

- Billing and Coding Compliance Guides from carriers and CMS
- Internal Coding and Billing Policies and Procedures
- Banking and Cash Management processes
- Purchasing Guidelines
  - Ordering
  - Corporate Credit Cards

Financial Management Resources – American College of Physicians

<https://www.acponline.org/practice-resources/business-resources/office-management/financial-management>

- Toolkit
- Billing and Collection Manual
- Electronic Funds Transfer Tool
- Payment Model Evaluation Tools
- Additional Resources

- Your payroll company
- Human Resources attorney
- National Labor Relations Board - <https://www.nlrb.gov/reports-guidance>
- U.S. Equal Employment Opportunity Commission
  - Small Business Resource Center - <https://www.eeoc.gov/employers/smallbusiness/index.cfm>
  - FAQs - <https://www.eeoc.gov/employers/smallbusiness/faq/index.cfm>
- Office of Civil Rights
  - Americans with Disabilities Act
    - <https://www.ada.gov/pubs/adastatute08.htm>
  - A Guide to Disability Rights Laws
    - <https://www.ada.gov/cguide.htm>



# Employee Manuals/Handbooks – What should they include?

- *Employment*
- *Compensation*
- *Benefits*
- *Time Off*
- *Policies, Procedures & Programs*
  - *Cell phone or personal device use*
  - *Social Media*
  - *Drug and Alcohol*
  - *Remote Worker Guidelines*
  - *Workplace Safety and Violence*
  - *Personal Appearance/Dress Code*
  - *Off-Duty Conduct/Other Jobs*

(aka Medical Malpractice Risk)

- Malpractice carrier manuals and resources
- Specialty society websites
- American Society for Healthcare Risk Management:
  - Physician Office Risk Management Playbook - [http://ams.aha.org/EWEB/DynamicPage.aspx?WebCode=ProdDetailAdd&ivd\\_prc\\_prd\\_key=123964ad-2007-4781-8d17-d12184c64785](http://ams.aha.org/EWEB/DynamicPage.aspx?WebCode=ProdDetailAdd&ivd_prc_prd_key=123964ad-2007-4781-8d17-d12184c64785)

## U.S. Food & Drug Administration

- Clinical Laboratory Improvement Amendments (CLIA)
  - <https://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/IVDRegulatoryAssistance/ucm124105.htm>
- Vaccines & Biologics
  - <https://www.fda.gov/BiologicsBloodVaccines/Vaccines/default.htm>
- Drugs - <https://www.fda.gov/Drugs/default.htm>
  - Information for Healthcare Professionals - <https://www.fda.gov/Drugs/ResourcesForYou/HealthProfessionals/default.htm>
  - Medication Errors Related to Drugs – <https://www.fda.gov/Drugs/DrugSafety/MedicationErrors/default.htm>
  - MedWatch: Adverse Event Reporting Program - <https://www.fda.gov/Safety/MedWatch/default.htm>

- HIPAA
  - <https://www.hhs.gov/hipaa/for-professionals/index.html>
- Topics and resources included:
  - Privacy
  - Security - Educational Paper Series
    - <https://www.hhs.gov/hipaa/for-professionals/security/guidance/index.html>
  - Breach Notification
    - <https://www.hhs.gov/hipaa/for-professionals/breach-notification/guidance/index.html>
  - Compliance & Enforcement
  - Special Topics
    - Mental Health & Substance Abuse - <https://www.hhs.gov/hipaa/for-professionals/special-topics/mental-health/index.html>
    - HIV - <https://www.hhs.gov/hipaa/for-professionals/special-topics/information-is-powerful-medicine/index.html>
    - Cloud computing - <https://www.hhs.gov/hipaa/for-professionals/special-topics/cloud-computing/index.html>
  - Patient Safety
  - Covered Entities & Business Associates
    - Contract language - <https://www.hhs.gov/hipaa/for-professionals/covered-entities/sample-business-associate-agreement-provisions/index.html>
  - Training & Resources
  - FAQs for Professionals

- HIPAA
  - <https://www.hhs.gov/hipaa/for-professionals/index.html>
- Topics and resources included:
  - Training & Resources
    - [Provider Guide: Communicating With a Patient's Family, Friends, or Other Persons Identified by the Patient - PDF](#)
    - <https://www.healthit.gov/providers-professionals/guide-privacy-and-security-electronic-health-information>
    - [PDF Guidebook - https://www.healthit.gov/sites/default/files/pdf/privacy/privacy-and-security-guide.pdf](#)
    - Audit Protocol - [https://www.hhs.gov/hipaa/for-professionals/compliance-enforcement/audit/protocol/index.html#\\_top](https://www.hhs.gov/hipaa/for-professionals/compliance-enforcement/audit/protocol/index.html#_top)
  - FAQs for Professionals
- Florida Information Protection Act (FIPA)
  - **501.171 Security of confidential personal information.**
  - [http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String&URL=0500-0599/0501/Sections/0501.171.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String&URL=0500-0599/0501/Sections/0501.171.html)
  - <https://www.mcguirewoods.com/Client-Resources/Alerts/2014/7/Florida-Information-Protection-Act-Expands-Data-Breach-Notifications.aspx>

- December 28, 2017 Memorandum
  - <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Downloads/Survey-and-Cert-Letter-18-10.pdf>
  - Memorandum Summary
    - Texting patient information among members of the health care team is permissible if accomplished through a secure platform.
    - Texting of patient orders is prohibited regardless of the platform utilized.
    - Computerized Provider Order Entry (CPOE) is the preferred method of order entry by a provider.

- Look first to your practice's corporate structure
  - Bylaws
  - Shareholder agreements
  - Physician contracts
  - Board minutes
- Ask your corporate attorney to explain anything that is unclear and why it is part of the document. Understanding why language is included will help you to recognize a potential conflict when it arises.
- What are your organization's mission and vision?
  - Do your policies and procedures support the mission and vision?
  - Does your culture reflect the mission and vision?

- Quality Assurance
  - Benchmarking – Seek out information from your specialty society or peer organizations
- Care Coordination – Collaborate with other providers in your community, including referral sources, specialists to whom your practice refers and hospitals in your area.
- Customer Satisfaction
  - Appointment availability and access
  - Ease of access to clinical information
  - Opportunities to share their feedback through surveys, social media, etc.



## CONTACT INFORMATION

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