

**EPIC MANAGEMENT, L.P.  
BEAVER MEDICAL GROUP, L.P.  
EPIC HEALTH PLAN**

**ADMINISTRATIVE POLICY AND PROCEDURE  
COMPLIANCE**

<b>SUBJECT:</b> Certifying Employees	
<b>DRAFTED BY:</b> Sherry Miller, CCO	<b>DATE:</b> 8/17/2020
<b>REVIEWED BY:</b>	<b>DATE:</b>
<b>REVISED BY:</b>	<b>DATE:</b>
<b>APPROVED BY:</b> Compliance Committee	<b>DATE:</b> 8/17/2020
<b>BOARD APPROVAL DATE:</b> N/A	
<b>EFFECTIVE DATE OF POLICY:</b> 9/1/2020	

1. **PURPOSE:** This EPIC Certifying Employees Policy identifies EPIC employees who are required to complete a compliance certification for each annual Reporting Period under the CIA, and the review process those employees must follow for the purpose of completing the compliance certification.
2. **ATTACHMENTS:** N/A.
3. **DEFINITIONS:**
  - a. All capitalized terms used but not defined in this Policy shall have the meaning attributed to them in the EPIC Compliance Program Definitions Policy.
  - b. In addition, the following capitalized terms shall have the following meanings for purposes of this Policy:
    - i. “Certifying Employee” refers to any of the EPIC employees identified in Section 4.a of this Policy.
    - ii. “Management Certification” refers to the compliance certification required to be signed by Certifying Employees under this Policy.
    - iii. “Reporting Period” refers to each of five (5) consecutive one (1) year periods under the CIA, commencing on December 27, 2019.
4. **POLICY:** All Certifying Employees have a duty to follow the Management Certification process outlined in this Policy. Failure to follow the Management

Certification process in a timely and complete manner is a violation of EPIC's Compliance Program and shall result in appropriate corrective action and/or disciplinary action, up to and including termination.

**a. Certifying Employees**

- i. Certifying Employees include those EPIC employees who are expected to monitor and oversee activities within their areas of authority.
- ii. Certifying Employees include the following individuals:
  - (1) BMG Chair of Internal Medicine;
  - (2) BMG Chair of Family Medicine;
  - (3) BMG Senior Medical Director;
  - (4) BMG Inpatient Medical Director;
  - (5) BMG Medical Director of Skilled Nursing Facilities;
  - (6) BMG Medical Director of Risk Adjustment;
  - (7) EHP Chief Financial Officer;
  - (8) EHP Chief Medical Officer;
  - (9) EPIC Management Senior Vice President/ Chief Administrative Officer/ Accountable Care Services Division;
  - (10) EPIC Management Vice President/ Chief Financial Officer/ Core Services Division;
  - (11) EPIC Management Vice President/Medical Administration/ Accountable Care Services Division;
  - (12) EPIC Management Vice President/ Managed Care Finance/ Accountable Care Services Division;
  - (13) EPIC Management Vice President/ Chief Performance Officer/ Core Services Division;
  - (14) EPIC Management Vice President/ Accountable Care Services Division;
  - (15) EPIC Management Vice President/ Chief Information Officer/ Core Services Division;

- (16) EPIC Management Vice President/ Clinical Support Services/ Physician Practice Support Services Division;
- (17) EPIC Management/ Vice President/ Human Resources/ Core Services Division;
- (18) EPIC Management/ Director/ Patient Financial Services/ Physician Practice Support Services Division;
- (19) EPIC Management/ Manager/ Risk Adjustment/ Accountable Care Services Division; and
- (20) Any other EPIC employee deemed to be a Certifying Employee by the Corporate Compliance Officer.

**b. Certifying Employee Review Process**

- i. Each Certifying Employee is responsible for ensuring that the department or group under their supervision is in compliance with all applicable Federal Health Care Program requirements, EPIC Compliance Program Policies, and CIA obligations, and for taking steps to promote such compliance.
- ii. As part of their compliance responsibilities, Certifying Employees are required, during each Reporting Period, to conduct the following review process:
  - (1) Sub-certifications.
    - (a) Each Certifying Employee shall use their best efforts to obtain compliance certifications (“Sub-certifications”) from all individuals under the Certifying Employee’s supervision (directly or indirectly) who:
      - (i) Have supervisory responsibilities;
      - (ii) Furnish patient care items or services; or
      - (iii) Perform coding, billing, or Risk Adjustment Data Functions.
    - (b) The Sub-certification shall take substantially the following form:

“I have been trained on and understand the Federal Health Care Program and CIA compliance requirements as they relate to my job responsibilities [and the job responsibilities of the individual(s) that I

supervise and/or the contracted entity(ies) that I oversee].

*Select one:*

To the best of my knowledge, information, and belief, EPIC is in compliance with all applicable Federal Health Care Program requirements, EPIC Compliance Program Policies, and the obligations of the Corporate Integrity Agreement.

I am aware of or have the following compliance concerns:

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*Select one:*

To the best of my knowledge, information, and belief, no disciplinary action has been taken against me [and any individual(s) that I supervise and/or contracted entity(ies) that I oversee] for a violation of EPIC's Compliance Program Policies, Federal Health Care Program requirements, and/or the Corporate Integrity Agreement.

I am aware of following disciplinary action(s) that has been taken against me [and the individual(s) that I supervise and/or the contracted entity(ies) that I oversee]:

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I understand that this certification is being provided to and relied upon by EPIC, for the purpose of fulfilling its obligations under the Corporate Integrity Agreement.”

- (2) Review of Compliance Data. Each Certifying Employee shall review (to the extent applicable):

- (a) Results of auditing and monitoring activities applicable to the Certifying Employee's department or area of supervision, including follow-up activities to correct any identified deficiencies;
  - (b) A high-level summary of Compliance Hotline reports (if any) pertaining to the Certifying Employee's area of supervision, which summary shall be provided by the Corporate Compliance Officer (or their designee) and shall exclude, to the greatest extent possible, any information that could be used to identify the reporting Personnel member;
  - (c) Any other reports regarding potential noncompliance within the Certifying Employee's department or area of supervision;
  - (d) Compliance training and education completion rates for Personnel under Certifying Employee's supervision (directly or indirectly), which information shall be provided by the Corporate Compliance Officer (or their designee).
- (3) Assessment of Potential Risk Areas. Each Certifying Employee shall assess (to the extent applicable):
- (a) Whether there are any trends in claims denials for services furnished by Personnel under Certifying Employee's supervision (directly or indirectly);
  - (b) Whether there are any material fluctuations in department or group activity or revenue;
  - (c) Whether there are any other facts or circumstances that could constitute a potential compliance risk.
- iii. Certifying Employees must complete the review process described in this Section 4.b prior to completing the Management Certification requirements described in Section 4.c below.
- c. Management Certification Requirements.
- i. For each Reporting Period, each Certifying Employee must sign the following Management Certification:
    - (1) "I have been trained on and understand the compliance requirements and responsibilities as they relate to [insert name of department], an area under my supervision. My job

responsibilities include ensuring compliance with regard to the [insert name of department] with all applicable Federal health care program requirements, obligations of the Corporate Integrity Agreement, and EPIC policies, and I have taken steps to promote such compliance. To the best of my knowledge, the [insert name of department] of EPIC is in compliance with all applicable Federal health care program requirements and the obligations of the Corporate Integrity Agreement. I understand that this certification is being provided to and relied upon by the United States.”

- ii. If the Certifying Employee is unable to provide the Management Certification, the Certifying Employee must provide a written explanation of the reasons why they are unable to provide the Management Certification (“Non-Certification Explanation”).
- iii. The Certifying Employee shall deliver the signed Management Certification (or the Non-Certification Explanation, if applicable) to the Corporate Compliance Officer (or their designee) no later than thirty (30) days after the end of the applicable Reporting Period.

d. **Documentation**

- i. Copies of all Management Certifications and Non-Certification Explanations (if any) shall be maintained in the Compliance Department files, in compliance with the EPIC Compliance Program Records Retention Policy.
- ii. The Corporate Compliance Officer shall ensure that copies of all Management Certifications and Non-Certification Explanations (if any) are submitted to HHS-OIG in compliance with the CIA requirements.