

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

**ADMINISTRATIVE POLICY AND PROCEDURE  
COMPLIANCE**

<b>SUBJECT:</b> Compliance Training and Education	
<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 Compliance Training and Education Policy sets forth EPIC's commitment to compliance training and education, and related requirements for all Personnel.
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. "Anti-Kickback Statute" refers to the Federal Health Care Program anti-kickback statute, 42 U.S.C. § 1320a-7b(b).
    - ii. "False Claims Act" refers to the federal False Claims Act, 31 U.S.C. § 3279 *et seq.*
    - iii. "General Compliance Training" refers to the general compliance training described in this Policy.
    - iv. "Specific Compliance Trainings" refers to the topic-specific compliance trainings described in this Policy.

- v. “Stark Law” refers, collectively, to the federal physician self-referral law, 42 U.S.C. § 1395nn, 42 U.S.C. § 1396b(s), and the implementing regulations, 42 C.F.R. § 411.350 *et seq.*
  - vi. “Training Plan” refers to the written compliance training and education plan described in this Policy.
4. **POLICY:** EPIC is committed to ensuring that all Personnel receive timely and appropriate compliance training and education.

**a. Training Plan**

- i. The Corporate Compliance Officer, in consultation with the Compliance Committee, the Board, and Health Care Counsel, shall draft a Training Plan to ensure that all Personnel receive at least annual training regarding EPIC’s Compliance Program, applicable Federal Health Care Program requirements, and the requirements of the CIA. The Training Plan shall address, at a minimum, the General Compliance Training and Specific Compliance Trainings described in this Policy.
- ii. The Training Plan shall include, at a minimum, information regarding: training topics, categories of Personnel required to attend each training session, the length of each training session(s), schedule for training, and the format of the training.
- iii. The Corporate Compliance Officer, in consultation with the Compliance Committee, the Board, and Health Care Counsel, shall regularly review and update the Training Plan to reflect changes in law, sub-regulatory guidance, or EPIC’s business operations, as well as newly identified compliance risk areas.

**b. Requirements for All Compliance Trainings and Education**

- i. Structure of Training and Education.
  - (1) All compliance trainings and education sessions must be designed and administered in such a way as to effectively instruct the trainees, taking into account the skills, experience, education level, and other characteristics of the trainees.
  - (2) Effective compliance trainings and education sessions may require providing training in languages other than English.
- ii. Method of Delivery.

- (1) Compliance trainings and education sessions may be presented in any manner that the Corporate Compliance Officer, in consultation with the Compliance Committee, determines to be effective. Presentation methods may include, for example, in-person training, video conference training, computerized training, or telephone conference training.
- (2) Regardless of the delivery method, all trainees must be provided with an opportunity, and indeed encouraged, to seek clarification or additional information on any aspect of the compliance training.

iii. Trainer Qualifications.

- (1) Trainers shall have sufficient knowledge and experience relative to the topic they are teaching. Only properly trained individuals will be used to provide compliance trainings and education sessions.
- (2) Trainers must be able to present the subject matter clearly.
- (3) Trainers must be able to respond to questions.
- (4) Trainers may be either Personnel or outside individuals or entities engaged by EPIC to design and/or administer the training and education.

iv. Participation Documentation.

- (1) For all compliance trainings and education sessions, each trainee's participation must be documented.
- (2) The format of the participation documentation shall be determined by the Corporate Compliance Officer and may include, but is not necessarily limited to, sign-in sheets or participation attestations.

c. **General Compliance Training**

- i. The Corporate Compliance Officer, in consultation with the Compliance Committee and Health Care Counsel, shall be responsible for developing and implementing a General Compliance Training for all Personnel.
- ii. Content. The General Compliance Training shall cover the following topics:

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- (1) EPIC's commitment to compliance with Federal Health Care Program Requirements, applicable law, and the CIA;
- (2) The operation and importance of EPIC's Compliance Program;
- (3) The requirement that all Personnel review and comply with EPIC's Compliance Program Policies and EPIC's Code of Conduct, and the consequences for violating these Compliance Program Policies or the Code of Conduct;
- (4) The importance of asking questions and seeking guidance from the Corporate Compliance Officer when in doubt about the propriety of a particular practice;
- (5) The duty of Personnel to report Compliance Concerns, and the procedures for reporting such Compliance Concerns;
- (6) EPIC's policy of striving to protect the identity of Personnel who report Compliance Concerns;
- (7) EPIC's policy of non-retaliation and non-retribution with respect to Personnel who report Compliance Concerns in good faith;
- (8) An overview of government and private payer reimbursement (as applicable);
- (9) The importance of prompt, accurate, and complete medical record documentation;
- (10) The requirement that all medical items and services billed by EPIC must be medically necessary, supported by the medical record, and properly coded;
- (11) The requirement that all diagnoses submitted by EPIC through risk adjustment reporting must be supported by the medical record and properly coded;
- (12) The prohibitions and requirements of the Anti-Kickback Statute, the Stark Law, and state law counterparts;
- (13) The duty to return and report overpayments in a timely manner;
- (14) Liability for false claims, including an overview of the False Claims Act;

- (15) Patient rights and education; and
- (16) Any other topic identified in the Training Plan for inclusion in the General Compliance Training.

iii. Required Participants.

- (1) All Personnel shall be required to participate in the General Compliance Training on an annual basis. Such participation shall be a condition of employment or engagement as an independent contractor contract, as applicable.
- (2) Failure to participate in the General Compliance Training will be considered a violation of the Compliance Program and will result in corrective action and/or disciplinary action, as appropriate.

iv. Schedule.

- (1) The General Compliance Training shall be provided to all Personnel on at least an annual basis.
- (2) New Personnel shall receive the General Compliance Training as part of the orientation process, but, in any event, no later than thirty (30) days of their start date.

d. **Specific Compliance Trainings**

i. The Corporate Compliance Officer, in consultation with the Compliance Committee and Health Care Counsel, as appropriate, shall be responsible for developing and implementing Specific Compliance Trainings.

ii. Content.

- (1) The Corporate Compliance Officer, in consultation with the Compliance Committee and Health Care Counsel, as appropriate, shall be responsible for selecting the topics to be covered in the Specific Compliance Trainings, based on compliance risk areas applicable to EPIC.
- (2) At a minimum, each Specific Compliance Training shall include, with respect to the topic in question, a discussion of applicable law and/or Federal Health Care Program requirements, recent legal and/or regulatory developments, and applicable EPIC Compliance Program Policies.

iii. Required Participants.

- (1) For each Specific Compliance Training, all Personnel who work in in the risk area(s) addressed by that training shall be required to participate. The Corporate Compliance Officer, in consultation with the Compliance Committee, shall be responsible for identifying the categories of Personnel required to participate in each Specific Compliance Training.
- (2) Failure of required participants to participate in Specific Compliance Training will be considered a violation of the Compliance Program and will result in corrective action and/or disciplinary action, as appropriate.

iv. Schedule. The Corporate Compliance Officer, in consultation with the Compliance Committee, shall be responsible for determining the schedule for the Specific Compliance Trainings.

**e. Individual Compliance Education**

- i. The Corporate Compliance Officer (or their designee) shall provide individual Personnel with compliance education on an as-needed basis.
- ii. Individual compliance education must be provided in the following circumstances:
  - (1) Following any review of medical record documentation, coding, billing, or risk adjustment conducted by the Corporate Compliance Officer (or their designee) in which the Personnel subject to the review failed to meet the requisite "pass" threshold;
  - (2) If the Corporate Compliance Officer (or their designee) learns that an individual Personnel does not or may not understand, or is not adhering to, EPIC's Compliance Program Policies or the Code of Conduct; and
  - (3) Any other circumstance in which the Corporate Compliance Officer (or their designee) determines that compliance education is necessary or appropriate.
- iii. The content, format, and schedule for individual compliance education sessions shall be determined by the Corporate Compliance Officer (or their designee) and shall be designed to address the underlying issue for which compliance education was deemed necessary.

**f. Compliance Notices and Updates**

- i. The Corporate Compliance Officer, in consultation with the Compliance Committee and Health Care Counsel, as appropriate, shall oversee the development and distribution of all Compliance Program notices and updates.
- ii. Compliance Program notices and updates may take any format deemed appropriate by the Corporate Compliance Officer (or their designee), and may be included within other regular publications as long as such notice or update is prominently displayed.
- iii. Content.
  - (1) Compliance Program notices and updates shall contain, as appropriate, information regarding:
    - (a) EPIC's commitment to compliance;
    - (b) Changes to the Compliance Program, including the Compliance Program Policies or the Code of Conduct;
    - (c) Issues of importance, as identified by the Corporate Compliance Officer (or their designee);
    - (d) Recent legal or regulatory developments related to Federal Health Care Program requirements;
    - (e) Upcoming compliance training and education programs;
    - (f) Compliance Program resources; and
    - (g) Any other information relating to compliance and/or the CIA that is deemed necessary or appropriate by the Corporate Compliance Officer or Compliance Committee.
- iv. Distribution.
  - (1) Compliance Program notices and updates shall be published on an as-needed basis.
  - (2) Compliance Program notices and updates shall be distributed to all Personnel.
  - (3) EPIC may use any distribution method for the Compliance Program notices and updates, including hard copy, intranet, or email.

- (4) Archived copies of Compliance Program notices and updates, regardless of the format or distribution method, shall be available to Personnel upon reasonable request.

**g. Documentation**

- i. For each compliance training or education session, the Corporate Compliance Officer (or their designee) shall maintain:
  - (1) Copies of all training materials used in connection with the compliance training or education session; and
  - (2) Copies of all participation documentation for the compliance training or education session.
- ii. The Corporate Compliance Officer (or their designee) shall retain copies of all Compliance Program notices and updates.
- iii. All documentation enumerated above shall be maintained in compliance with the EPIC Compliance Program Records Retention Policy.