

# CENTRAL STATE COMMUNITY SERVICES

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**ANNUAL CORPORATE COMPLIANCE PLAN / ETHICS TRAINING (NEW  
EMPLOYEES/ ANNUAL)**

# CORPORATE COMPLIANCE NOTICE

- **Central State Community Services is committed to the prevention and detection of fraud, waste, abuse, fiscal mismanagement and misappropriation of funds and has developed a corporate compliance program that emphasizes:**
- Prevention of wrongdoing whether intentional or unintentional
- Immediate reporting and investigation of questionable activities and practices without consequences to the reporting party
- Timely correction of any situation which could potentially put its clients, the organization, its leadership or employees at risk

# DEFINING FRAUD, WASTE, AND ABUSE

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- **Fraud** - Knowingly making a false claim for payment or benefit; twisting or bending the facts to obtain payment or other benefits.
- **Waste** - Occurs whenever the taxpayers do not receive a reasonable return on their money, for government-funded activities, due to incorrect acts or errors. Most waste does not involve a violation of law; rather, waste relates mainly to negligence, incorrect actions, and insufficient or poor controls.
- **Abuse** - Describes practices that either directly or indirectly result in unnecessary costs to the Medicare program. Abuse includes any practice that is not consistent with the goal of providing patients with services that are medically necessary, meet professionally recognized standards, and are fairly priced.

# COMPLIANCE IS...

- **C**ommit to “Do Right”
- **O**bey regulations and policies
- **M**ake compliance awareness part of *everyone’s* job
- **P**ractice good conduct
- **L**earn about compliance
- **I**f in doubt, check it out with the right person
- **A**ttend training sessions
- **N**otify supervisors of possible wrongdoing
- **C**ommunicate openly and honestly
- **E**thics is part of all of the activities at Central State Community Services

# Compliance Code of Conduct

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Confidentiality- Protect the privacy of those we serve

Alcohol and drug free environment- Do not report to the workplace under the influence of drugs or alcohol.

Free of harassment of any kind- Treat all employees with respect (This includes home supervisors, Program Coordinators, and Administrative Staff)

Avoidance of conflict of interest- Please report immediately to HR if you are working with someone you are related or provide support for.

Report any suspected or actual Fraud, Waste, and Abuse- Please report any activity to [leadership@cscsmi.com](mailto:leadership@cscsmi.com)

Do not solicit or accept gifts

Safe, respectful work environment: all employees will be treated with dignity and respect

Political contributions will not be made with agency funds or resources



# Professional Code of Ethics

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- \* Carefully read and understand Central State Community Services Code of Ethics
- \* Establish and maintain healthy boundaries with individuals, families, and colleagues
- \* Avoid using your workplace as a way to promote personal interests or paid endeavors
- \* Immediately warn if a consumer disclosed intent to harm self or others
- \* Ensure continuity of treatment and services (transfer and discharge responsibilities)
- \* Avoid sexual inappropriate behavior
- \* Adequately document services/ billings/ communications
- \* Treatment should be suitable to condition (amount, scope, duration matches the need)

# What is the role of compliance when it comes to ethics?

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Supports the organization's efforts in establishing an ethical culture. OIG Compliance Guidance states one purpose of compliance program is to, "...increase the likelihood of preventing, identifying, and correcting unlawful and unethical behavior at an early stage. Establishing policies, procedures, and business processes that support and encourage employees to act in conformity with the organization's values.

# Activities to Avoid

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Copying and pasting in documents, especially IPOS and progress notes

Inappropriate timekeeping (begin and end times)



# Service Documentation Requirements

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## **Michigan Medicaid Provider Manual requirements (non-exhaustive list)**

The clinical record must be sufficiently detailed to allow reconstruction of what transpired for each service billed

For services that are time-specific according to the procedure code billed, providers must indicate in the medical record the actual begin time and end time of the particular service.

All documentation must be signed and dated by the rendering direct support staff or nurse

Documentation, including signature, must be legible

If a signature is not legible, the employee must print their name and credentials below the signature

Progress notes must include the following:

Goal(s) and/ or Objective(s) of the Plan of Service addressed

Progress/ lack thereof toward desired outcome

# Laws Impacting Healthcare Deficit Reduction Act 2005

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Education and training for employees, contractors, and agents that contain detailed information about the Federal False Claims Acts, Whistleblower Provisions, and information about preventing and detecting Fraud, Waste, and Abuse in Federal Health care programs

Written policies that include detailed provisions consistent with State and Federal False Claim Acts, Whistleblower Provisions, and other applicable laws.

Employee Handbook must include State and Federal laws, rights of employees to be protected by Whistleblowers, and any related policies and procedures.

# Federal False Claims Act

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This is a Federal statute that covers fraud involving any federally funded contract or program, including the Medicaid program.

- \* Establishes civil liability for certain acts, including:
- \* Knowingly presenting a false or fraudulent claim to the government for payment
- \* Knowingly making, using, or causing to be made or used, a false record or statement to get a false or fraudulent claim paid or approved
- \* Conspiring to defraud by getting a false or fraudulent claim allowed or paid
- \* Knowingly making, using, or causing to be made or used, a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the government.

**Michigan False Claims Act mirrors the Federal False Claims Act, with the expanded definition of “knowledge”.**



**“KNOWINGLY”  
MEANS**

**Actual knowledge of the  
information**

**Acting in deliberate  
ignorance of the truth or  
falsity of the information**

**Acting in reckless  
disregard of the truth or  
falsity of the information**

# Other Applicable Laws Impacting Healthcare

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## Anti-Kickback Statute

Health care providers and suppliers MAY NOT offer, pay, or solicit or receive anything of value in exchange for the referral of patients or services covered by Medicaid or Medicare.

Fines can include up to \$25,000 per violation and up to five years in prison

# Other Applicable Laws that Impact Healthcare

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## **Exclusion Authorities (Federal and State)**

\* Providers must ensure that no Federal Funds are used to pay for any items or services furnished by an individual who is debarred, suspended or otherwise excluded from participation in any federal health care program. This includes salary, benefits, and services furnished, prescribed, or ordered.

### **Federal:**

\* Federal exclusions are imposed under the Social Security Act, 42, USC. They are mandatory and permissive. Examples of mandatory exclusions are: conviction of a crime relating to patient neglect or abuse, felony conviction of healthcare fraud, etc. Examples of permissive exclusions include a misdemeanor conviction relating to healthcare fraud, conviction relating to fraud in a non-health care program.

#### **Examples of Mandatory Exclusions:**

- Conviction of program related crimes
- Conviction relating to patient abuse
- Felony conviction related to healthcare fraud
- Felony conviction related to controlled substance

#### **Examples of Permissive Exclusions:**

- Conviction relating to fraud
- Conviction relating to obstruction of an investigation or audit
- Misdemeanor conviction relating to controlled substance
- License revocation or suspension
- Exclusion or suspension under Federal or State health care program

# Whistleblower Protection

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## Federal Statute

Designed to protect against the fraudulent use of public funds by encouraging people with knowledge of fraud against the Government to “blow the whistle” on wrongdoers.

Employees can file a “Qui tam” lawsuit on behalf of the government. The law provides for a reward in the form of a share of the recovery

Any initiating the Qui tam case may not be discriminated or retaliated against in any manner by their employer. The employee is authorized under the False Claims Act to initiate court proceedings to make themselves whole for any job-related losses resulting from any such discrimination or retaliation.



# Whistleblower Protection

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## Michigan Statute

Provides protection for employees who report a violation or suspected violation of a State or Federal law, rule, or regulation to public body; unless the employee knows the report is false.

Employers may not discharge, threaten, or otherwise discriminate against an employee regarding the employee's compensations, terms, conditions, location, or privileges of employment.



## Whistleblower Protection Act In Summary



- The Michigan Whistleblowers' Protection Act creates certain protections and obligations for employees and employers under Michigan law.
- It is illegal for employers in Michigan to discharge, threaten or otherwise discriminate against you regarding your compensation, terms, conditions, location or privileges of employment because you or a person acting on your behalf reports or is about to report a violation or a suspected violation of federal, state or local laws, rules or regulations to a public body.
- It is illegal for employers in Michigan to discharge, threaten or otherwise discriminate against you regarding your compensation, terms, conditions, location or privileges of employment because you take part in a public hearing, investigation, inquiry or court action.
- The Act does not diminish or impair either your rights or the rights of your employer under any collective bargaining agreement.
- The Act does not require your employer to compensate you for your participation in a public hearing, investigation, inquiry or court action.
- The Act does not protect you from disciplinary action if you make a report to a public body that you know is false.

**If you believe that your employer has violated this Act you may bring civil action in circuit court within 90 days of the alleged violation of the Act.**

## Reporting

All complaints or reports related to the compliance plan will be made to the Compliance Officer who is expected to safeguard the anonymity of the complainants and to protect the Whistle blower from retaliation. Reports may be made by telephone, fax, mail, or email.

Phone: (989) 631-6691

Fax: (989) 631-8760

Confidential- [https://www.cscsmi.com/everest\\_form-id4156/](https://www.cscsmi.com/everest_form-id4156/)

Mail: 2603 W. Wackerly St. Suite 201 Midland, MI 48640

Corporate Compliance Officer: Kari Conner (989) 631-6691/kconner@cscsmi.com

# Quiz

Please take a few minutes and complete the test.

