APPLICABILITY: This policy applies to employed providers at UNCHCS and Network Entities affiliated with UNCHCS.

I. Description
Describes the Professional Compliance Program for UNC Health Care. As used in this policy, the term “UNC Health Care” encompasses all UNC Health Care employed providers. This includes but is not limited to UNC Physicians Network (UNCPN), UNC Physicians Network Group Practice (UNCPN GP), UNC Faculty Physicians (UNC FP), UNC REX Health Care providers, Caldwell Physicians, and UNC Regional Physicians. This policy will apply to managed hospital employed providers if Professional Compliance is contracted to provide Compliance services directly. The Professional Compliance Program is in addition to the Hospital Compliance Program (see SYS017 / ADMIN 0040).

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II. Definitions

**Employees** – means employed providers (including physicians, advance practice practitioners, and auxiliary staff).

**Professional Compliance** – means the Professional Compliance component of the UNC Health Care Corporate Compliance program. The Professional Compliance Office maintains a Compliance Program and provides compliance oversight over UNC Health Care employed providers who may bill professional services (e.g., MD, PA, NP, PT, OT, CRNA, etc.).

III. Rationale

All persons associated with UNC Health Care (including but not limited to employees, managers, vendors, and volunteers) are expected to act ethically and in accordance with applicable laws, regulations, and policies. The Professional Compliance Office (“Professional Compliance”) is a resource for education, monitoring processes, and supporting efforts aimed at regulatory compliance. Professional Compliance does not make operational decisions but is available to advise and assist with applicable policies, rules, and regulations. Everyone at UNC Health Care, including business operations managers, is accountable for compliance results.

IV. Policy

In 2000, the Office of Inspector General (OIG) published compliance guidelines (including the “Components of an Effective Compliance Program”) to assist physician practices in becoming fully compliant with the complex rules and regulations governing the healthcare industry. UNC Health Care used this resource to develop a seven-part framework for the UNC Health Care Professional Compliance Program.

A. Oversight

The System Director of Professional Compliance is the primary contact to monitor Professional Compliance efforts and enforce compliance standards. However, the Professional Compliance Program receives additional oversight and leadership from:

1. **Board of Directors** – Each Network Entity’s Board of Directors or applicable Board committee(s) provide oversight and authority for the
Professional Compliance Program

Professional Compliance Program. The activities of the Professional Compliance Program are regularly reported to executive leadership and applicable Boards or Board Committees.

2. **Executive Leadership** – UNC Health Care leadership establishes and reinforces a culture that supports compliance through efforts such as: (1) making operational and business decisions in compliance with applicable rules and regulations; (2) allocating reasonable and appropriate resources to compliance requirements; and (3) providing and supporting employee education and policy development that complies with applicable laws and regulations.

Professional Compliance discusses regulatory issues/concerns and ethical questions with appropriate department, practice, and entity leaders.

3. **Professional Compliance Executive Steering Committee** – The Professional Compliance Executive Steering Committee serves as the primary committee to support the System Director of Professional Compliance. This Committee consists of key organizational leaders that provide guidance to the System Director of Professional Compliance and support activities that foster a culture of compliance. The Committee may also review and provide guidance on compliance issues, policies, and/or make recommendations to address compliance concerns.

4. **CMO Roundtable** – The Chief Medical Officer (CMO) Roundtable consists of CMOs from each hospital Network Entity. As needed, this Roundtable provides feedback and guidance on policies and operational issues that impact provider compliance and makes recommendations to address compliance concerns.

5. **Physician Practice Management Committee** – The Physician Practice Management Committee consists of key physician leaders from each UNC Health Care physician entity. As needed, this Committee provides feedback and guidance on policies and operational issues that impact physician compliance and makes recommendations to address compliance concerns.

6. **Chief Audit & Compliance Officer** – This position is responsible for leading system-wide Corporate Compliance efforts and communicating the activities and results of the Compliance Program to executive leadership, legal counsel, and the Finance, Audit and Compliance Committee of the UNC Health Care Board of Directors. As appropriate, the Chief Audit & Compliance Officer may also provide reports to a Network Entity’s leadership, committees, or Board of Directors.
The Chief Audit & Compliance Officer is assisted in these efforts by the System Director of Professional Compliance.

7. **System Director of Professional Compliance**

The System Director of Professional Compliance reports directly to the Chief Audit & Compliance Officer. The Director is responsible for the overall direction of the Professional Compliance Program and helps ensure that UNC Health Care meets applicable regulations and policies. Responsibilities include: creating Professional Compliance work plans for auditing and monitoring, directing provider education, and reporting feedback to the Professional Compliance Executive Steering Committee and Boards of Directors.

8. **Associate Directors of Professional Compliance**

The System Director of Professional Compliance is supported by two Associate Directors – one supporting efforts at UNC Faculty Physicians / UNC School of Medicine and the other supporting efforts at the UNC Physicians Network, UNC REX Healthcare, and other physician practice Network Entities.

**B. Standards and Procedures**

Professional Compliance authors, or assists other departments and physician practices in authoring, policies and procedures to address regulatory requirements, identified risk areas, and ethical business practices. Professional Compliance focuses its policymaking on medical necessity requirements and proper documentation, billing, and coding requirements. Professional Compliance may also contribute to policies that address fraud, false claims, and improper inducements, kickbacks, and self-referrals.

Each department or practice is expected to review its own policies and procedures for compliance with applicable rules and regulations.

Educational materials are provided on the Professional Compliance website, (located on the UNCHCS Intranet) to further explain applicable compliance standards and procedures.

A system-wide Code of Conduct policy (SYS #13) provides further guidance on expected behaviors at UNC Health Care.

**C. Training and Education**

Professional Compliance provides training on UNC Health Care policies as well as compliance with medical necessity requirements and proper documentation, billing, and coding practices. Fraud, false claims, and improper inducements, kickbacks, and self-referrals are addressed as appropriate.
Employees may receive compliance training through a variety of methods including: new employee orientation, reappointment training, and annual compliance training such as e-training Learning Made Simple (LMS) modules. Training reflects updates to UNC Health Care policies and external laws and regulations applicable to physician practices.

Professional Compliance periodically distributes regulatory updates to department and executive leadership, practice management, and staff through targeted email alerts, newsletters, and in-person training.

Department leaders and managers are ultimately responsible for ensuring compliance with new laws and regulations.

The Professional Compliance website, located on the UNCHCS Intranet, provides additional educational material to support the Compliance function.

Certain compliance information is provided to contractors, vendors, and agents as necessary or appropriate, through the Purchasing Department website (located on the UNCHCS / UNC Medical Center Internet) and other sources.

D. Communication

Employees are encouraged to contact Professional Compliance whenever they need clarification or direction regarding compliance issues through one of the following methods:

1. Placing a direct phone call with the System Director of Professional Compliance at 984-974-1017;
2. Placing an anonymous call to the Hotline at 1-800-362-2921;
3. Sending a direct email to the System Director of Professional Compliance (Robin.Shuping@unchealth.unc.edu);
4. Emailing Professional Compliance at ProComplianceUNCHC@unchealth.unc.edu; or
5. Mailing questions or concerns to: Professional Compliance Office, UNC Health Care System, 211 Friday Center Drive, Suite G050, Chapel Hill, NC 27517.

Appendix A contains contact information for additional members of the Professional Compliance team. Appendix A and contact information in this policy may be updated, as needed, at the discretion of the System Director of Professional Compliance.

Employees may raise issues, concerns, and complaints anonymously; however, employees are encouraged to provide sufficient information to permit an investigation and some contact information so that Professional
Compliance can follow up and ask additional questions. Professional Compliance will keep the reporting employee’s identity confidential, to the extent possible.

Retaliation is not permitted against any employee who seeks advice, raises a concern, or reports misconduct to Professional Compliance in good faith. Suspected retaliation should be reported immediately to Professional Compliance.

If Professional Compliance receives communications that would be better addressed by another department, Professional Compliance will refer the communication to the appropriate department (e.g., Privacy, Legal, Employee Relations, or Hospital Police) for resolution.

Communications with Professional Compliance are summarized in status reports that are presented periodically to applicable leadership, Boards, or Board Committees.

E. Auditing and Monitoring

Professional Compliance creates an annual audit work plan, based on a risk assessment, to guide its auditing and monitoring activities. Professional Compliance also conducts routine reviews of individual providers and departments / practices to assess billing, documentation, and coding compliance. Other investigations or reviews are conducted as needed.

The Chief Audit & Compliance Officer oversees development of the annual Professional Compliance Audit Work Plan. The System Director of Professional Compliance assists the Chief Audit & Compliance Officer in creating the work plan and prioritizing audit work. Various resources are considered when developing the work plan, such as the OIG Annual Work Plan, OIG fraud alerts, CMS publications, and alerts from audit contractors. Audit topics may include compliance with UNC Health Care policies as well as compliance with external laws, regulations, and payer requirements. The Audit Work Plan is reviewed and approved by applicable Board(s) and Board Committee(s).

Audit reports are distributed to appropriate leadership for follow-up and may be summarized for applicable Board(s) of Directors or Board Committee(s).

In some circumstances, it may be necessary to utilize the attorney-client privilege during the auditing process. General Counsel will be contacted to make this determination.

Professional Compliance periodically evaluates its own Professional Compliance Program for effectiveness.
F. Response to Detected Offenses and Corrective Action

Deficiencies may be detected through auditing and monitoring, Hotline calls, and other processes.

Professional Compliance makes appropriate inquiries, investigations, and reports when it becomes aware of potential violations of laws, regulations, or UNC Health Care policies and procedures.

As appropriate, Professional Compliance will report or refer potential and actual violations to relevant parties, such as an employee’s supervisor, department chair, residency director, practice manager, the Chief Medical Officer, Employee Relations, Human Resources, the Privacy Office, the Legal Department, or government regulators.

Responses to detected deficiencies may include: revising policies and procedures, developing and implementing training, undertaking discipline/corrective action, and disclosing and returning overpayments to government or private payers.

Professional Compliance will retain a summary of the event, Professional Compliance’s investigation, the final action taken, and other appropriate documentation.

G. Disciplinary Guidelines

General corrective action guidelines are provided in applicable Human Resource manuals, employee handbooks, bylaws of the medical staff, and similar sources.

In addition, UNC Health Care policies may provide specific guidance on enforcing compliance standards, such as proper billing, coding, and documentation.

Department- or practice-level policies and protocols may also provide disciplinary guidelines.

V. References


VI. Related Policies

SYS 013 / ADMIN 0267 – Code of Conduct

SYS 017 / ADMIN 0040 – Hospital Compliance Program

SYS 019 / ADMIN 0255 – False Claims Education
Appendix A: Professional Compliance Contact Information

In addition to calling the confidential Hotline (1-800-362-2921) and emailing Professional Compliance (ProComplianceUNCHC@unchealth.unc.edu), employees may contact the following leaders directly to ask questions and raise professional compliance concerns:

<table>
<thead>
<tr>
<th>Name</th>
<th>Role</th>
<th>Entity</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeri Williams</td>
<td>Chief Audit &amp; Compliance Officer</td>
<td>UNC Health Care</td>
<td>(984) 974-1027</td>
<td><a href="mailto:Jeri.Williams@unchealth.unc.edu">Jeri.Williams@unchealth.unc.edu</a></td>
</tr>
<tr>
<td>Robin Shuping</td>
<td>System Director, Professional Compliance</td>
<td>UNC Health Care</td>
<td>(984) 974-1017</td>
<td><a href="mailto:Robin.Shuping@unchealth.unc.edu">Robin.Shuping@unchealth.unc.edu</a></td>
</tr>
<tr>
<td>Laura Bushong</td>
<td>Associate Director, Professional Compliance</td>
<td>UNC FP / SOM</td>
<td>(984) 974-1107</td>
<td><a href="mailto:Laura.Bushong@unchealth.unc.edu">Laura.Bushong@unchealth.unc.edu</a></td>
</tr>
<tr>
<td>Jana Rakes</td>
<td>Associate Director, Professional Compliance</td>
<td>UNCPN; UNC REX; Other Network Entities</td>
<td>(984) 974-1141</td>
<td><a href="mailto:Jana.Rakes@unchealth.unc.edu">Jana.Rakes@unchealth.unc.edu</a></td>
</tr>
</tbody>
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The most current list of Professional Compliance team members is maintained at:
http://intranet.unchealthcare.org/intranet/hospitaldepartments/auditcomplianceprivacy/procompliance/team.