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Sponsor:	Brian Kozik: SVP, COMPLIANCE & PRIVACY
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GA-004-245 Compliance Education and Training

I. Purpose

The purpose of this policy is to establish requirements for distributing the Broward Health's Code of Conduct ("Code"), collecting Code acknowledgements, and conducting Corporate Compliance and Ethics Program training and education for all Workforce Members and other individual designated by the Corporate Compliance and Ethics Department.

II. Key Terms

For purposes of this Policy, the below terms shall have the meanings set forth below wherever they appear in this Policy, regardless of whether they are capitalized, unless:

1. The context in which they are used clearly requires a different meaning; or
2. A different definition is prescribed for a particular section of this Policy.

Words not defined shall be given their common and ordinary meaning unless the context in which they are used requires otherwise.

For purposes of this Policy, the below terms shall have the following meanings associated with them:

Annual Compliance Training: The Corporate Compliance and Ethics Training and any Specialized Training provided to Broward Health Workforce Members and any other individual designated by the Corporate Compliance and Ethics Department each year.

Board Member: Any member of any of the following: Board of Commissioners of North Broward Hospital District; the Audit Committee of the Board of Commissioners of North Broward Hospital District; Broward Health Foundation's Board of Directors; Children's Diagnostic & Treatment Center's Board of Directors; or Broward Health's Accountable Care Organization Board of Directors.

Chief Compliance Officer (CCO): The individual responsible for overseeing, implementing, and monitoring the compliance requirements of the Broward Health Compliance and Ethics Program. In addition, this individual also holds the title of Chief Privacy Officer.

Compliance Orientation Training: The Corporate Compliance and Ethics Training and any Specialized

Training provided to all new Broward Health Workforce Members or other individuals designated by the Corporate Compliance and Ethics Department within the first thirty (30) days of employment/engagement.

Specialized Training: Job-specific training to those Workforce Members or other individuals designated by the Corporate Compliance and Ethics Department in topic such as, but not limited to, coding, billing, Health Insurance Portability and Accountability Act ("HIPAA"), Florida record retention requirements, cost reporting, and/or referral source arrangements and interactions.

Workforce Member: Includes any employee, independent contractor, agent, trainee, or other person who performs work for or on behalf of Broward Health. This includes full-time, part-time, and pool employees; associates; directors; officers; managers; supervisors; members of the Board and members of standing committees; medical staff employed by or otherwise affiliated with Broward Health; and all other affiliated students or others receiving training at any Broward Health facility; and others who provide goods or services to Broward Health.

III. Policy

A. Compliance Training

1. The Chief Compliance Officer ("CCO"), or designee, shall be responsible for developing and maintaining the Corporate Compliance and Ethics Training Plan (the "Training Plan"). The Training Plan shall undergo an annual review and will be updated as required to reflect changes in Broward Health's policies and procedures, federal health care program requirements, any issues discovered during an internal audit, arrangements review, and/or any other relevant information.

B. Compliance Orientation Training

1. Each new Workforce Member and any other designated class of individuals, shall attend Compliance Orientation Training before commencement of employment and is a condition for continued work at Broward Health.
2. At a minimum, the Compliance Orientation Training will address:
 - a. The overall purpose of the compliance training;
 - b. Explanation for why the compliance program was established;
 - c. Compliance requirements with federal and state statutes, regulations, and guidelines;
 - d. Broward Health compliance policies, procedures, and Code, and how to apply them in work situations;
 - e. Overview of the Broward Health Compliance Program, including availability of the hotline to report violations;
 - f. Introduction of the CCO and explain their role and responsibilities;
 - g. Explain that employees can report issues without fear of retribution or retaliation;
 - h. Ensure that employees understand how to report outside the chain-of-command, if they believe it is necessary to do so using the employee hotline;
 - i. Employees' ability to report concerns, allegations, and suspected wrongdoing anonymously or, if they identify themselves, they can be assured confidentiality to the limit of the law;

- j. An overview of the Health Insurance Portability and Accountability Act ("HIPAA"). HIPAA sanctions, and Broward Health policies and procedures governing patient privacy;
- k. The legal sanctions under the Anti-Kickback Statute and Stark Law; and
- l. Examples of violations of the Anti-Kickback Statute and Stark Law.

C. Annual Compliance Training

1. All Workforce Members and any other designated individuals shall receive mandatory general compliance education and training of one hour in length annually.
2. The topics covered in the Annual Compliance Training will, at a minimum, address the topics contained in the Compliance Orientation Training.
3. After the mandatory general compliance education and training is completed online, management staff will be required to conduct follow-up sessions with their areas to re-emphasize the topics and key points in the Annual Compliance Training. The Corporate Compliance and Ethics Department will develop management talking points to provide to management for assistance in their follow-up sessions. Each regional administration will be required to maintain the follow-up session sign-in sheets.

D. Specialized Training

1. All Workforce Members and/or any other designated individual in identified high-risk areas or performing certain job functions may be required to complete Specialized Training on an annual basis in addition to the Annual Compliance Training.
2. A new Workforce Member and/or any other designated individual entering or transferring into a job function or high-risk area that requires Specialized Training must complete the required training within 30 days of beginning the job.
3. The Specialized Training will be coordinated by the Corporate Compliance and Ethics Department with notification of transfers provided to the Corporate Compliance and Ethics Department by the Human Resources Administration.

E. Board of Commissioner Training

1. Board of Commissioners compliance training shall include addressing (a) OIG guidance on Board member responsibilities; (b) Corporate Compliance and Ethics Program; (c) unique responsibilities of Board members in overseeing the Compliance Program and risks; and (d) strategic approaches in conducting oversight of a healthcare entity.

F. Requirements

1. Compliance trainers must be knowledgeable of: (a) the Compliance Program; (b) applicable federal laws and regulations; (c) requirements of the Sentencing Commission Guidelines; (d) relevant policies/procedures; (e) operations of the Corporate Compliance and Ethics Program; and (f) content of the Code of Conduct.
2. Training protocols and materials must be standardized, to evidence that anyone who signed in for training will have received the same instruction.
3. Persons attending training shall certify, in writing or in electronic form, that he or she has received the required training. The certification shall specify the type of training received and the date received. The Department of Learning and Development or the Corporate Compliance and Ethics Department (or designee) shall retain the certifications, along with all course materials.

4. Computer-based training may be provided to meet the training requirements detailed in this policy. If used, qualified and knowledgeable staff or trainers shall be made available to answer questions or provide additional information to the individuals receiving such training.

G. Enforcement

1. Human Resources Administration will report the names of Workforce Members who fail to meet the training requirements to the Corporate Compliance and Ethics Department.
2. The Medical Staff Office will report the names of Medical Staff members who fail to meet the training requirements to the Corporate Compliance and Ethics Department.
3. Failure for a Workforce Member to complete the required training, as determined by the Corporate Compliance and Ethics Department, will be subject to appropriate disciplinary action, up to and including termination. Such disciplinary action may include modification of performance appraisal scores and/or administrative suspension.
4. The Human Resources Administration will address the Training Plan requirements for those Workforce Members who are on approved Leaves of Absence. A Workforce Member on an approved "Leave of Absence" will normally have 30 days upon return to work to complete any outstanding Training Plan requirements, be it annual or specialized trainings.

H. Records

1. All training will be documented, and the records of participation will be maintained pursuant to Broward Health's policy, Record Retention, Storage, and Disposal, Policy No. GA-004-135.
2. The CCO will report periodically to the Executive Compliance Group and Board of Commissioners on the results of the Compliance Training Program.

IV. Related Policies and Compliance Documents

- Broward Health Code of Conduct
- North Broward Hospital District, d/b/a Broward Health, Corporate Compliance and Ethics Training Plan
- Record, Retention, Storage, and Disposal, Policy No. GA-004-135

V. References

DHHS. OIG Supplemental Compliance Guidance for Hospitals. 70 Fed. Reg. 4858, 4865 (Jan. 31, 2005). <https://oig.hhs.gov/fraud/docs/complianceguidance/012705HospSupplementalGuidance.pdf>

DHHS OIG. Publication of the OIG Compliance Program Guidance for Hospitals. 63 Fed. Reg. 35, 8987 (Feb. 23, 1998). <https://oig.hhs.gov/authorities/docs/cpghosp.pdf>

United States Sentencing Commission. Guidelines Manual. United States Sentencing Commission. Guidelines Manual. <https://www.ussc.gov/guidelines/2018-guidelines-manual>

US Code of Federal Regulations § 483.85 - Compliance and ethics program. https://www.govregs.com/regulations/title42_chapterIV_part483_subpartB_section483.85

Attachments

No Attachments

Approval Signatures

Step Description	Approver	Date
Final Approver	Brian Kozik: SVP, COMPLIANCE & PRIVACY	12/2020
	Lucia Pizano-Urbina: AVP, COMPLIANCE	12/2020