



Corporate Compliance: Compliance Training and Education

Purpose:

Advocates (sometimes referred to as “organization” or “the organization”) recognizes that a critical aspect of an effective Compliance Program is the development and implementation of regular, comprehensive training and education for all Affected Individuals related to the organization’s Standards of Conduct, Compliance Program, Compliance Policies and Procedures and applicable New York State and Federal laws, rules and regulations. To this end, Advocates’ has established the following policy and procedures.

Regulatory/Additional Authority:

Social Service Law 363-D
18 NYCRR Part 521

Scope:

All Affected Individuals

Responsible Employee (Title) and/or Department:

The Compliance Officer (Director of Compliance, Quality & Incident Management) or their designee.

Definitions:

Affected Individuals – All Advocates’ employees including the Executive Director and senior leadership, contractors, subcontractors, independent contractors, agents, corporate officers, and the Board of Directors.

Policy

It is the Policy of Advocates to ensure that all Affected Individuals receive formal training relating to the organization’s Standards of Conduct, Compliance Program, Compliance Policies and Procedures and applicable New York State and Federal laws, rules, and regulations. The organization will ensure that all trainings are provided in a way that is accessible to all Affected Individuals and that they are in alignment with the required State and Federal laws, rules, and regulations.

It is the Policy of the organization to ensure that Affected Individuals in identified risk areas, and members of the Board of Directors and Management, receive training and education related to their function and responsibilities.

Successful completion of training is mandatory and a condition of continued employment, contract, appointment, or relationship with the organization.

Procedures

1. The Compliance Officer is responsible for developing the compliance education curriculum, monitoring, and ensuring that compliance training meets the regulatory standards.
2. Compliance education and training will include an explanation of the structure and operation of the Compliance Program including information on the following aspects of the Compliance Program:
 - Advocate's Compliance Plan;
 - Standards of Conduct;
 - Advocates' Policies and Procedures;
 - Federal False Claims Act;
 - New York False Claims Act;
 - Whistleblower Protections;
 - Risk areas and organizational experience;
 - The role and responsibilities of the Compliance Officer and the Compliance Committee;
 - Lines of Communication (name of Compliance Officer, reporting mechanisms, anonymous reporting mechanism, questions/comments);
 - Advocates' expectations for reporting known or suspected fraud, waste, and abuse; illegal or unethical acts; actual or suspected violations of Federal or State laws and regulations; actual or suspected violations of the Standards of Conduct, the Compliance Program, Advocates' policies and procedures; improper acts in the delivery or billing of services; and other wrongdoing (collectively referred to as "compliance concerns");
 - How the Organization responds to reports of compliance concerns, including the investigation process and corrective actions;
 - Advocates' disciplinary policy and standards;
 - Prevention of fraud, waste, and abuse; and
 - Non-retaliation and non-intimidation policy.
 - Medicaid requirements specific to Advocates' services and programs
 - Billing and coding requirements and best practices
 - Developing and submitting claims
3. Comprehensive training and education materials will be developed to ensure that a consistent message is delivered to all Affected Individuals, and everyone receives the same information.
4. As part of their orientation, each employee, including the Chief Executive and other senior administrators, and Board members shall receive Compliance training within the first 90 days of employment or relationship with the organization. Each person will receive a copy of the Standards of Conduct and Compliance Plan and be provided access to Compliance Program

policies and procedures. Each person will acknowledge that they are aware of and will abide by the Compliance Plan and Standards of Conduct.

5. All Affected Individuals will receive Compliance training and education at least once per year that includes a review of the existing Compliance Plan, the Standards of Conduct, any applicable policies and procedures and any changes in Federal or State laws and regulations.
6. Completion of Compliance training and education will be documented. The Compliance Officer will collaborate with Human Resources to maintain documentation that training was completed.
7. Compliance training will be provided electronically and/or in person as applicable for the position. In person training will be presented by the Compliance Officer or their designee knowledgeable in the operation of the Compliance Program, Compliance Plan, Standards of Conduct, Policies and Procedures, and applicable Federal laws and regulations.
8. The Compliance Officer will collaborate with Leadership and Department Directors to ensure that Team members receive any additional compliance education applicable to the identified risks related to their function and responsibilities.
9. The Compliance Officer will ensure that all contractors and vendors meeting the criteria below are provided with the Compliance Plan, Standards of Conduct and Compliance Training materials including information related to the False Claims Act and Whistleblower Protections Policy upon entering into a contractual agreement with Advocates. Contractor and vendor are defined as:
 - Any independent contractor, contractor, subcontractor, or other person who, on behalf of the organization, furnishes or otherwise authorizes the furnishing of Medicaid, or other federally funded healthcare items or services, or performs billing or coding functions; or
 - Any independent contractor, contractor, subcontractor, or other person who provides administrative or consultative services, goods, or services that are significant and material, are directly related to healthcare provision, and/or are included in or are a necessary component of providing items or services reimbursed by, Medicaid, or other federally funded healthcare program; or
 - Any independent, contractor, subcontractor, or other person who is involved in the monitoring of healthcare provided by the organization.
10. Advocates will ensure that the Compliance Officer has sufficient opportunities to receive training on compliance issues. Compliance training will be secured and made available to new Compliance Officers as part of the orientation to the role.

11. The Compliance Officer is responsible for submitting periodic reports to the Compliance Committee and Board of Directors on all training and education related to the Compliance Program.
12. All training and education related to the Compliance Program will be incorporated into the Organization's training plan. The training plan shall, at a minimum, outline the subjects or topics for training and education, the timing and frequency of the training, which Affected Individuals are required to complete the training, how completion will be tracked, and how the effectiveness of the training will be periodically evaluated. The training plan will be reviewed by the Compliance Officer and Compliance Committee and updated as needed, but at minimum on an annual basis.

Sanction Statement

Non-compliance with this policy may result in disciplinary action, up to and including termination.

Compliance Statement

As part of its ongoing Compliance Program review and improvement process, Advocates will review this policy at least annually and as needed to respond to changes in laws or regulations and to determine if this policy:

- Has been implemented.
- Is being followed.
- Is effective.
- Needs to be updated.

Record Retention Statement:

Advocates will retain this policy and all subsequent revisions, and any related documentation will be retained for a period of, at minimum, six years.

Attachments

- A. Corporate Compliance: Compliance Training and Education Plan

Approvals

Approved by: Carol Gentry, Director of Compliance, Quality & Incident Management

Signature: Carol L. Gentry DATE: 03-26-2024

Approved by: Amy Dugliss Executive Director

Signature: Amy Dugliss DATE: 03-26-2024

Approved by: Beth Henderson Chairperson, Compliance Committee

Signature: Beth Henderson DATE: 03-26-2024



Corporate Compliance: Compliance Training and Education Plan

TRAINING TOPICS:

- Standards of Conduct
- Fraud, Waste & Abuse
- False Claims Acts & Whistleblower protections
- Deficit Reduction Act
- Compliance Program Elements & Implementation
 - Policies and Procedures
 - Compliance Program Oversight/Compliance Officer/Compliance Committee
 - Training and Education
 - Lines of Communication and Whistleblower Protections
 - Disciplinary Standards
 - Auditing and Monitoring
 - Response and Corrective Action
- Service Delivery, Documentation & Billing
 - Fraud, Waste and Abuse
 - Risk Areas/Non-Compliant Behavior-Examples
 - Documentation Guidelines
 - Medicaid Billing/Reimbursement Standards
 - Identifying and Addressing Errors

TRAINING SCHEDULE:

- All Employees including the Executive Director, Compliance Officer, and Senior Leadership
 - Mentors/Direct Support Professionals
 - Upon hire
 - Annually within the anniversary month of hire
 - Non-Mentors/Non-Direct Support Professionals
 - Upon hire
 - Annually within the anniversary month of hire
- Independent Contractors/Contractors
 - Upon initiation of the relationship with Advocates
 - Annually thereafter within the month of January
- Board of Directors/Corporate Officers
 - Upon election to the Board of Directors
 - Annually as part of the Annual Compliance Report to the Board of Directors

ATTENDANCE VERIFICATION:

- Relias Training Transcript
- Acknowledgement/Agreement Form
- Board of Directors' Meeting Minutes

EVALUATION:

- Compliance Training Post Test
- Acknowledgement/Agreement Form