

**SWMBH Operating Policy 10.6**

<b>Subject:</b> Compliance Reporting Responsibilities		<b>Accountability:</b> Compliance	<b>Effective Date:</b> 1/1/2014	Pages: 2	
<b>REQUIRED BY:</b> BBA Section _____ PIHP Contract Section _____ NCQA/URAC Standard _____ Other _____			Last Reviewed Date: 10/4/18	Past Reviewed Dates: 1/1/14 5/13/16 5/17/17	
<b>LINE OF BUSINESS:</b> <input checked="" type="checkbox"/> Specialty Waiver (B/C) <input checked="" type="checkbox"/> 1115 Waiver <input checked="" type="checkbox"/> Healthy Michigan <input checked="" type="checkbox"/> SUD Medicaid <input checked="" type="checkbox"/> SUD Block Grant <input checked="" type="checkbox"/> MI Health Link <input type="checkbox"/> Other: _____		<b>APPLICATION:</b> <input checked="" type="checkbox"/> SWMBH Staff and Ops <input checked="" type="checkbox"/> Participant CMHSPs <input checked="" type="checkbox"/> SUD Providers <input checked="" type="checkbox"/> MH / DD providers <input checked="" type="checkbox"/> Other: <u>MHL Providers</u>		Last Revised Date: 10/4/18	Past Revised Dates: 5/13/16 5/17/17
Approved: <i>Mila C. Jodel</i> Date: <i>10-11-18</i>			Required Reviewer: Chief Compliance & Privacy Officer		

**I. Purpose**

The purpose of this policy is to articulate the standards and expectations of Southwest Michigan Behavioral Health (SWMBH) regarding the reporting of compliance issues.

**II. Policy**

All employees, Board Members, and any persons or entities acting on behalf of SWMBH, including, as appropriate, participant Community Mental Health Service Providers (CMHSP), have the responsibility of ensuring the effectiveness of its compliance efforts by actively participating in SWMBH’s compliance program and by complying with SWMBH’s Compliance Plan, policies and procedures, and HIPAA Privacy and Security standards. These standards are designed and intended to meet the Federal Sentencing Guidelines and the recommendations and guidelines issued by the Health and Human Services (HHS) Office of Inspector General (OIG).

It is the responsibility of SWMBH Chief Compliance Officer to monitor and report to Southwest Michigan Behavioral Health’s regulatory Compliance Oversight Committee (COC) the extent to which participant CMHSP’s and participant MI Health Link providers are implementing compliance programs with effective policies and procedures regarding responsibilities and obligations for reporting suspected, actual or potential compliance issues, that are consistent with SWMBH Operating Policy 10.8: Compliance Review and Investigation, and that are:

- A. Compatible with those adopted by Southwest Michigan Behavioral Health; and
- B. Reasonably capable of assuring the purposes of these policies are achieved.

**III. Standards and Guidelines**

An open line of communication between the Chief Compliance Officer and SWMBH personnel, as well as among the organization, participant providers, contracted and subcontracted health care providers and customers, is critical to the successful implementation of a compliance program and the reduction of any potential for fraud, abuse and waste. SWMBH will have in place both a mechanism for the reporting of

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improper conduct, as well a mechanism for more routine types of communication among the compliance officer and relevant groups and stakeholders.

### **IV. Definitions**

None

### **V. References**

A. 42 CFR, Ch. IV §438.608 and Federal Register Volume 64, No. 219

### **VI. Attachments**

None