




Section: <b>Compliance</b>	Policy Name: <b>Compliance Reporting Responsibilities</b>	Policy Number: <b>10.06</b>
Owner: <b>Chief Compliance Officer</b>	Reviewed By: <b>Mila C. Todd</b>	Total Pages: <b>3</b>
Required By: <input checked="" type="checkbox"/> BBA <input checked="" type="checkbox"/> MDHHS <input type="checkbox"/> NCQA <input type="checkbox"/> Other (please specify): _____	Final Approval By:  <u>Mila Todd (Mar 31, 2023 05:13 EDT)</u>	Date Approved:  Mar 31, 2023
Application: <input checked="" type="checkbox"/> SWMBH Staff/Ops <input checked="" type="checkbox"/> Participant CMHSPs <input checked="" type="checkbox"/> SUD Providers <input checked="" type="checkbox"/> MH/IDD Providers <input type="checkbox"/> Other (please specify): _____	Line of Business: <input checked="" type="checkbox"/> Medicaid <input type="checkbox"/> Other (please specify): _____ <input checked="" type="checkbox"/> Healthy Michigan <input checked="" type="checkbox"/> SUD Block Grant <input checked="" type="checkbox"/> SUD Medicaid <input checked="" type="checkbox"/> MI Health Link <input checked="" type="checkbox"/> CCBHC	Effective Date: <b>01/01/2014</b>

**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).

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

**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.

**Scope:** All.

**Responsibilities:** SWMBH Chief Compliance Officer is responsible for maintaining open and effective lines of communication for compliance reporting and consultation, and for reporting to the SWMBH Compliance Oversight Committee.



SWMBH employees and contractors, Participant CMHSPs, contracted and subcontracted providers are responsible for reporting compliance concerns to SWMBH and seeking guidance and direction as needed.

**Definitions:** None.

**Standards and Guidelines:**

- A. The SWMBH Chief Compliance Officer shall monitor and report to SWMBH's regulatory Compliance Oversight Committee (COC) the extent to which participant CMHSP's are implementing compliance programs with effective policies and procedures, including 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:
  - 1. Compatible with those adopted by Southwest Michigan Behavioral Health; and
  - 2. Reasonably capable of assuring the purposes of these policies are achieved.
- B. The SWMBH Chief Compliance Officer shall ensure SWMBH maintains a Compliance Hotline, capable of receiving anonymous reports, and a SWMBH Compliance email. The compliance hotline number and compliance email address shall be disseminated as follows:
  - 1. Included in the SWMBH Code of Conduct; and
  - 2. Published on SWMBH's public website; and
  - 3. Periodically, but not less than annually, included in SWMBH's Member and Provider Newsletters.
- C. The SWMBH Chief Compliance Officer and designee(s) may use the Regional Compliance Coordinating Committee and/or other Regional Committees as applicable, for routine compliance related communications.
- D. The SWMBH Chief Compliance Officer and compliance department shall be accessible to SWMBH employees and contractors, Participant CMHSPs, and contracted and subcontracted providers for direct and/or individual consultation and assistance.

**References:** 42 CFR 438.608

Federal Register Volume 64, No. 219

**Attachments:** None.



# 10.06 Compliance Reporting Responsibilities

Final Audit Report

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