

SWMBH Operating Policy 10.9

Subject: Compliance Enforcement and Discipline		Accountability: Compliance	Effective Date: 01/01/2014	Pages: 2
REQUIRED BY: 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
LINE OF BUSINESS: <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: _____	APPLICATION: <input checked="" type="checkbox"/> SWMBH Staff and Ops <input type="checkbox"/> Participant CMHSPs <input type="checkbox"/> SUD Providers <input type="checkbox"/> MH / DD providers <input type="checkbox"/> Other: _____		Last Revised Date: 10/4/18	Past Revised Dates: 5/17/17
Approved: <u>Mila C. Todd</u>		Required Reviewer: Chief Compliance & Privacy Officer		
Date: <u>10-11-18</u>				

I. Purpose

The purpose of this policy is to articulate Southwest Michigan Behavioral Health's (SWMBH) commitment to adherence of those standards contained and/or referenced in its Compliance Plan regarding enforcement and discipline of its employees and agents in relation to compliance with State and Federal laws and rules, Medicaid and Medicare program requirements, and Prepaid Inpatient Health Plan (PIHP) contractual obligations.

II. Policy

Enforcement and discipline standards contained or referenced in the SWMBH Compliance Plan will be consistently enforced through appropriate disciplinary mechanisms. Individuals responsible for an offense will receive discipline consistent with the circumstances of the offense. Officers and managers are accountable for the foreseeable behavior of their subordinates and therefore, may be subject to discipline for failure to detect an offense.

III. Standards and Guidelines

Through its commitment to have an effective compliance program, SWMBH will include disciplinary policies that identify the consequences of violating the organization's standards of conduct, policies, and procedures. Intentional noncompliance will subject transgressors to significant sanctions. Such sanctions could range from oral warnings to suspension or termination as appropriate. Disciplinary action is appropriate and will be enforced where a responsible employee's failure to detect a violation is attributable to his or her negligence or reckless conduct. Each situation will be considered on a case-by-case basis to determine the appropriate response. Disciplinary action will be taken on a fair, equitable and consistent basis.

IV. Definitions

None

V. References

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

VI. Attachments

None