

Program Integrity Plan

Compliance

NORTH SOUND BEHAVIORAL HEALTH
ADMINISTRATIVE SERVICES ORGANIZATION

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Table of Contents

Mission Statement 3
Policy 4
Standards of Conduct and Compliance Program Procedures 4
Definitions 4
Compliance Organization and Oversight 5
Training and Education 8
Compliance Plan – Monitoring and Auditing 9
Effective Lines of Communication for Seeking Guidance and Reporting Problems 10
Investigations, Corrective Action Plans (CAP) and Other Responses 11
Enforcement and Disciplinary Mechanisms 12
Provider Responsibilities 12
Attachment A: Exclusion Attestation Statement 15
Attachment B: Compliance Training Attestation Statement 17

Introduction

The purpose of this plan is to outline and define the scope, responsibilities, operational guidelines, controls and activities employed by North Sound Behavioral Health Administrative Services Organization (North Sound BH-ASO) to ensure that we maintain an environment that facilitates ethical decision making and that we act in accordance with federal and state laws and regulations that govern North Sound BH-ASO.

Mission Statement

The mission of the North Sound BH-ASO is:

"Empowering individuals and families to improve their health and well-being."

The vision of the North Sound BH-ASO is to create:

"A system of care that is shaped by the voices of our communities and people using behavioral health services. The people who work in this system are competent, compassionate, empowering and supportive of personal health and wellness."

The North Sound BH-ASO Values are:

1. Integrity: North Sound BH-ASO will nurture an environment of transparency, trust and accountability;
2. Collaboration: North Sound BH-ASO believes every voice matters;
3. Respect: North Sound BH-ASO accepts and appreciates everyone we encounter;
4. Excellence: North Sound BH-ASO strives to be the best in everything we do;
5. Innovation: North Sound BH-ASO endeavors to try new things, be forward thinking, learn from mistakes and be adaptable;
6. Culture: North Sound BH-ASO endeavors to be culturally educated and responsive; and
7. Social Equity: North Sound BH-ASO commits to working to reduce institutionalized racism and reduce disparities in health care.

As North Sound BH-ASO pursues this mission, vision and values, North Sound BH-ASO is committed to conducting all activities in compliance with applicable laws and regulations and in accordance with the highest ethical standards.

North Sound BH-ASO will maintain a business culture that builds and promotes professional responsibility and encourages colleagues to conduct all North Sound BH-ASO business with honesty and integrity.

North Sound BH-ASO's commitment to Compliance includes:

1. Communicating to all employees, consultants, independent contractors and subcontractors' clear ethical guidelines.
2. Providing training and education regarding applicable State and Federal laws, regulations and policies.
3. Providing assistance and conducting monitoring and oversight to help ensure we meet our Compliance Commitment.

North Sound BH-ASO promotes open and free communication regarding our ethical and compliance standards and provides work environment free from retaliation.

Policy

It is the policy of the North Sound BH-ASO to ensure that, through the Program Integrity Plan, it will comply with the laws, regulations, principles and policies that govern us and maintain an active program to correct problems that arise. The Compliance Program is implemented throughout North Sound BH-ASO's internal operations and external provider network through:

1. The development of policies and procedures;
2. The appointment of a Compliance Officer and alternate(s) in writing;
3. An Ethics and Compliance Committee (ECC);
4. Training and education;
5. Effective lines of communication;
6. Monitoring and auditing functions;
7. Enforcement standards and response mechanisms; and
8. An ongoing risk assessment and mitigation.

Standards of Conduct and Compliance Program Procedures

North Sound BH-ASO is committed to conducting its business with honesty and integrity and in compliance with all applicable laws. North Sound BH-ASO has developed and maintains a Code of Conduct that holds all North Sound BH-ASO employees, delegates, contractors and subcontractors to an expectation and requirement of ethical compliance with all applicable laws, policies, rules and regulations. North Sound BH-ASO's Code of Conduct is intended to establish clear, over-arching guidance and should be regarded as a set of guiding principles that apply to every North Sound BH-ASO employee. It does not address in detail every specific compliance issue that might arise. It does provide a framework for seeking guidance and decision-making. North Sound BH-ASO requires all employees to attest to having received the Code of Conduct, understand it represents policies of North Sound BH-ASO and agree to abide by it. Further guidance as to the Code of conduct is addressed in the North Sound BH-ASO Personnel Policy.

Definitions

Abuse

Provider and/or business practices that are inconsistent with sound fiscal, business, or healthcare practices and result in an unnecessary cost to North Sound BH-ASO and/or Health Care Authority (HCA) or in reimbursement for services that are not medically necessary or that fail to meet professionally recognized standards for healthcare.

Compliance Officer

The person appointed by North Sound BH-ASO to fulfill this position in compliance with a Federal program integrity requirement and State contractual requirement.

Ethics and Compliance Committee (ECC)

North Sound BH-ASO's Leadership Team serves the role of the ECC in compliance with Federal program integrity requirements and State contractual requirements. Aggregate data will be reported by the Compliance Officer to the Board of Directors (BOD).

Excluded Parties List System

A Federal program under the System for Awards Management (SAM) with a database Excluded Parties List System (EPLS) identifies parties that have been excluded from receiving Federal contracts, certain subcontracts and certain types of Federal financial and non-financial assistance and benefits.

Federal Compliance Officer
An employee of HCA, who serves as its Federal Compliance Officer and operates its fraud, waste, and abuse telephone hotline.

Fraud
An intentional deception or misrepresentation made by a person (individual or entity) with the knowledge that the deception could result in some unauthorized benefit to him or herself or some other person. It includes any act that constitutes fraud under applicable federal or state law. State statute defines fraud as an attempt to obtain more benefits or payments than one is entitled to, by means of willful false statement, willful misrepresentation, by concealing material facts, or fraudulent scheme (74.09.210 RCW).

Office of Inspector General (OIG) Exclusion Program
A Federal program and database that identifies the OIG Exclusion Program called the List of Excluded Individuals and Entities (LEIE), which identifies persons and other entities, which have been excluded from participation and payment in Federal healthcare programs.

Provider
Any individual medical or Behavioral Health Professional, Health Care Professional, hospital, skilled nursing facility, other facility, organization, pharmacy, program, equipment and supply vendor, or other entity that provides care or bills for health care services or products.

Waste
The extravagant, careless, or needless expenditure of Government funds, or the consumption of Government property that results from deficient practices, systems, controls, or decisions.

Compliance Organization and Oversight

North Sound BH-ASO's Board of Directors has ultimate responsibility for North Sound BH-ASO's Program Integrity Plan. North Sound BH-ASO's Executive Director will appoint a Compliance Officer and alternate in writing. North Sound BH-ASO's Leadership Team will serve as the ECC. Together the ECC and Compliance Officer maintain primary responsibility to oversee and coordinate the Program Integrity Plan. The Compliance Officer, through the ECC reports to the North Sound BH-ASO Board of Directors. The Compliance Officer participates as a member of the Leadership Team and presents detailed reports to this body for discussion and to consider opportunities for continuous quality improvement. While the Compliance Officer generally reports to the ECC, when circumstances warrant, as determined by the Compliance Officer, the Compliance Officer has the authority to meet directly with the Executive Director, Board of Directors, and/or North Sound BH-ASO legal counsel/attorney.

The Compliance Officer's duties and authority include the following:

1. Implement and monitor North Sound BH-ASO compliance activities to ensure compliance with all State contracted Program Integrity requirements.
2. Report to the ECC to present reports, data, remedial findings and Corrective Action Plans (CAPs) for discussion and to consider opportunities for continuous quality improvement.
3. Report to the ECC on, at least, a semi-annual basis regarding all compliance activities including policy development, training, monitoring, business and ethical issues addressed and reports of suspected non-

compliance. This includes reporting to the ECC on the progress of implementing the Program Integrity Plan; the Compliance Officer, as a member of the ECC will, in turn, provide an aggregate report to the BOD.

4. Develop policies and procedures that are designed to address substantive regulatory compliance risk areas.
5. Develop and implement annual education and training programs for employees to specifically include Fraud, waste, and abuse policies and procedures:
    a. CMS: Combating Medicare Parts C and D Fraud Waste and Abuse;
    b. False Claims Act;
    c. Deficit Reduction Act; and
    d. Whistle Blower reporting of improper governmental action and protections against retaliation
6. Receive reports of possible violations of the Program Integrity Plan.
7. Research and provide answers to business ethics and regulatory questions that arise.
8. Investigate all potential incidents of non-compliance, including reviews of relevant documents and interviews of relevant people, involving internal staff as needed for their expertise as a resource to the investigation.
9. In consultation with North Sound BH-ASO staff designated as a resource to the investigation from members of the ECC, provide direction for the development of Corrective Action Plans (CAPs) for remedial findings to correct compliance violations, prevent future incidents of non-compliance and steps for monitoring progress.
10. Develop a reporting process that is clearly defined and communicated to employees, contractors and individuals seeking services.
11. Implement measures developed by the Executive Director, ECC, and Board of Directors, which are designed to create an environment where employees, contractors, providers and individuals seeking services are encouraged to raise ethical questions, report potential incidents of non-compliance and report suspected fraud, waste, and abuse without fear of retaliation.
12. Assist the Executive Director, ECC, Board of Directors in reviewing North Sound BH-ASO functions as they relate to fraud, waste, and abuse prevention, detection and reporting and in establishing methods to reduce North Sound BH-ASO vulnerability to incidents of fraud, waste, and abuse.
13. Review processes to ensure the North Sound BH-ASO Human Resources/Contracts Team implements procedures to screen employees, contractors and subcontractors prior to interview/hiring or consideration for contract, monthly and as directed by contract, including elected and delegated members of Governing Boards/Committees, and other Board members able to influence funds. Documentation of initial exclusionary checks is to be maintained in individual employee, contractor and subcontractor files by Human Resource/Contracts and are subject to periodic audit.
14. Conduct monthly exclusion checks of all employees, BOD members, subcontractors, delegates, and consultants using the OIG Exclusion Program and SAM database. Any individual verified on the exclusion list will be reported to the appropriate entity within 20 business days and immediately removed from conducting business with North Sound BH-ASO.
15. Maintain a tracking system for business ethical issues, questions about regulatory compliance, reports of potential non-compliance, reports of suspected fraud, waste, and abuse, and develop and present a quarterly status report to the ECC.
16. Ensure that appropriate contract provisions are in place that require contractors and subcontractors to have a Compliance/Program Integrity Program.
17. Refer potential fraud to one or more of the appropriate authorities including, but not limited to:
    a. Apple Health Managed Care Organizations;
    b. Health Care Authority (HCA);

c. DSHS Office of Fraud and Accountability (OFA);
d. WA State Auditor's Office;
e. WA State Medicaid Fraud Control Division (MFCD)/Office of Attorney General (AG);
f. Office of Civil Rights (OCR);
g. Department of Health and Human Services (DHHS)/Office of Inspector General (OIG);
h. Center for Medicare and Medicaid Services (CMS) Regional Fraud, Waste, and Abuse Coordinator; and/or
i. Director of the Managed Care Contracting Division of the Department of Health Care Policy and Financing.

18. North Sound BH-ASO will assist various governmental agencies, as practical, in providing information and other resources during investigations of potential fraud or abuse. These agencies include, but are not limited to, those listed in "Compliance Organization and Oversight" above.
19. All information identified, researched, or obtained for, or as part of, potential fraud, waste, and abuse investigation is considered confidential by North Sound BH-ASO and the participating investigative governmental agencies. Any information shared among and/or developed by participants in the investigation of potential fraud, waste, and abuse occurrence is maintained solely for this specific purpose and no other.
20. North Sound BH-ASO will implement processes that comply with specific reporting procedures developed by HCA and with processes establishing and administering penalties and sanctions for fraud, waste, and abuse.
21. The ECC has direct access to the Compliance Officer, North Sound BH-ASO Executive Director, and North Sound BH-ASO Board of Directors. The ECC duties include the following:
    a. Ensure that Program Integrity Plan is designed to provide an ethical framework for decision-making.
    b. Ensure the Program Integrity Plan is designed to prevent and/or detect violations of the law and North Sound BH-ASO's policies and procedures.
    c. Oversee the development and revision of the Code of Conduct and policies and procedures that implement the Program Integrity Plan.
    d. Together with the Compliance Officer, periodically review and revise the Program Integrity Plan to meet changing regulations or trends and submit the revised Program Integrity Plan to the Board of Directors for review following Executive Director signature approval.
    e. Receive reports on investigations being conducted by the Compliance Officer, including review of Corrective Action Plans (CAPs), unless such reports would potentially compromise an investigation.
    f. Participate as subject matter experts for investigations at the request of the Compliance Officer.
    g. Receive status reports from the Compliance Officer on a quarterly basis and take such steps as may be necessary to resolve any problems that prevent action or limit the effectiveness of the program and consider trends for mitigation and continuous quality improvement.
    h. Together with the Compliance Officer, ensure communication of the Program Integrity Plan and associated activities to all employees including changes in laws, regulations, or policies, as necessary, to assure continued compliance.
    i. Make efforts to create an environment where employees, contractors, providers and individuals seeking services are encouraged to raise ethical questions, report potential incidents of non-compliance and report suspected fraud, waste, and abuse without fear of retaliation.
22. Any potential fraud and/or abuse occurrences identified by individuals or family members, or by providers or North Sound BH-ASO employees during performance of their duties are reported to North Sound BH-ASO Compliance Officer as outlined in the Effective Lines of Communication for Reporting section of the Program Integrity Plan. The Compliance Officer will:

a. In circumstances involving a provider receiving North Sound BH-ASO funds, report concern to HCA using the ProgramIntegrity@hca.wa.gov inbox and MFCD using the MFCUreferrals@atg.wa.gov inbox.
    i. The process for assisting HCA in the investigation and any resulting activity can be found in North Sound BH-ASO Policy 2001.00.
b. In circumstances involving an individual receiving North Sound BH-ASO funded services investigate to verify such items as:
    i. The source of the complaint;
    ii. Nature of fraud or abuse complaint;
    iii. Approximate dollars involved; and,
    iv. The legal and administrative disposition of the case.
c. Review the report with North Sound BH-ASO's Executive Director and legal counsel and, if appropriate, the report is forwarded to one or more of the authorities.
d. Exercise independent discretion in reporting suspected fraud and/or abuse to all appropriate authorities.
e. Submit to HCA a report of any recoveries made, or overpayments identified during the course of an investigation.
f. Notify and submit all associated information of any alleged or investigated cases in which there is a perceived likelihood of fraud by an Individual to HCA Office of Medicaid Eligibility and Policy (OMEP) by any of the following:
    i. Sending an email to WAHeligibilityfraud@hca.wa.gov;
    ii. Calling OMEP at 360-725-0934 and leaving a detailed message;
    iii. Mailing a written referral to:

Health Care Authority
Attn: OMEP
P.O. Box 45534
Olympia, WA 98504-5534

    iv. Faxing the written complaint to Washington Apple Health Eligibility Fraud at 360-725-1158

Training and Education

North Sound BH-ASO is committed to communicating standards for ethical conduct, compliance awareness and compliance policies to all employees and downstream providers. All North Sound BH-ASO employees and downstream providers receive copies of North Sound BH-ASO's Code of Conduct and mandatory annual training on North Sound BH-ASO's Program Integrity Plan. Training may include, but is not limited to, the following topics:

1. Clarification of roles and responsibilities of North Sound BH-ASO, State and Federal resources and contacts (i.e., Compliance Officer, ECC, MFCD, State Auditor's Office, OIG, etc.).
2. The specific components of North Sound BH-ASO's Program Integrity Plan, including North Sound BH-ASO's standards for ethical business conduct. (Code of Conduct)
3. An overview of what constitutes fraud, waste, and abuse in a Medicaid Managed Care environment, including fraud, waste, and abuse policies and procedures, the False Claims Act, the Washington false claims statutes (Chapter 74.66 RCW and RCW 74.09.210), and the Deficit Reduction Act.
4. Employee's responsibility to know and comply with State and Federal laws and regulations and North Sound BH-ASO policies that apply to their job and to ask questions when the correct course of action is unclear.

5. How to raise questions about ethical behavior and regulatory compliance and how to report suspected violations and questionable conduct.
6. A review of specific State contract requirements applicable to North Sound BH-ASO business.
7. The consequences of failing to comply with applicable law and North Sound BH-ASO's compliance standards.
8. As new developments or concerns arise, North Sound BH-ASO's Compliance Officer will ensure the information is disseminated to all employees and to contractor management for dissemination to contractor staff and subcontractors.
9. Health Insurance Portability and Accountability Act (HIPAA) Privacy and Security. To include the Health Information Technology for Economic and Clinical Health (HITECH) Act**.**
10. Cultural humility, competency and equity in healthcare as outlined in the Affordable Care Act (ACA).

As outlined in North Sound BH-ASO Agreement General Terms and Conditions each provider is required to participate in annual fraud, waste, and abuse training. Every North Sound BH-ASO employee and downstream provider must complete the Combating Medicare Parts C and D Fraud Waste and Abuse CMS trainings within 90 days of hire and annually thereafter. North Sound BH-ASO providers will submit an annual attestation (Attachment B) attesting to the fact that each employee has completed the required CMS training. North Sound BH-ASO will also notify providers of any applicable fraud, waste, and abuse training opportunities offered through CMS, Washington State Attorney General's MFCD, Washington State Auditor's Office, HCA, North Sound BH-ASO, or any other relevant entity.

Compliance Plan – Monitoring and Auditing

North Sound BH-ASO maintains a system of monitoring that is based on identifying opportunities for improvement through analysis and measurement while also instituting specific controls to mitigate potential risk. North Sound BH-ASO's Compliance Program is responsible for coordinating the development and overseeing the implementation of a comprehensive risk assessment that identifies all potential risks in accordance with the OIG.

1. North Sound BH-ASO currently has a risk management process that includes an internal and external assessment of risk.
2. The external assessment is completed by a contracted agency that evaluates the risk of North Sound BH-ASO's IS/IT system. A contracted agency or tool is used to perform an assessment of the overall risk of the organization's entire scope of work.
3. The internal assessment is developed/reviewed annually and agreed upon by North Sound BH-ASO's Leadership Team and contains the risk areas that are deemed to be most relevant to North Sound BH-ASO.
4. The outcome of the identification of risks through both the internal and external process is an annual risk mitigation plan monitored as part of the overall Program Integrity Plan.

North Sound BH-ASO's Program Integrity Program, Procedures and Plan provide further guidance on specific compliance risk areas. At a minimum, North Sound BH-ASO will develop and maintain policies to address the relevant risk areas identified by the OIG in its "Compliance Guidance to Medicare + Choice Organizations".

Detection and prevention of fraud, waste, and abuse is performed by North Sound BH-ASO through a variety of auditing and monitoring procedures and processes including review and oversight activities outlined in this plan. North Sound BH-ASO's biennial Administrative and Fiscal audits and annual Quality Assurance/Performance Improvement (QA/PI) on-site provider contract reviews are designed to ensure contractor compliance. Results that fall outside benchmarks, are suspected or do not represent sound business practices are reported to ECC and the Compliance Officer. A list of the tools used for this monitoring and audit function are reviewed and updated annually. Other fiscal policies and audits

ensure compliance with payment standards that apply to North Sound BH-ASO. At a minimum, North Sound BH-ASO will conduct monitoring activities that encompass the relevant risk areas identified by the OIG in its Compliance Guidance to Medicare + Choice Organizations.

Effective Lines of Communication for Seeking Guidance and Reporting Problems

North Sound BH-ASO employees, Board Members, delegates, and contracted agencies have a responsibility to raise questions about business ethics and regulatory compliance, to report incidents of potential non-compliance and to report suspected fraud, waste, and abuse identified while performing work responsibilities to North Sound BH-ASO Compliance Officer.

North Sound BH-ASO and contractors may report any potential fraud or abuse to their supervisors who must then report the suspected misconduct to their agency's Compliance Officer, who in turn reports to North Sound BH-ASO Compliance Officer.

A report may be made by any party to the North Sound BH-ASO Compliance Officer using one of the following options:

1. In person, to North Sound BH-ASO Compliance Officer;
2. Faxing a report to North Sound BH-ASO Compliance Officer at (360) 416-7017;
3. Anonymously and confidentially by calling the North Sound BH-ASO Compliance Officer at (360) 416-7013 Extension 617 or (800) 684-3555 Extension 617;
4. By E-mail to Compliance Officer at **compliance_officer@nsbhaso.org**; or
5. Mailing a written concern or report to:

   Compliance Officer
   North Sound Behavioral Health Administrative Services Organization
   2021 E. College Way, Suite 101
   Mt. Vernon, WA 98273
   (Please identify as Confidential on outside of envelope)

This contact information, as well as additional avenues for reporting suspected fraud, waste, and abuse, is also listed on the North Sound BH-ASO website. In addition to the website, North Sound BH-ASO publicizes the Program Integrity Program through provider bulletins and annual training.

All contacts that cannot be resolved in one conversation are documented to track and monitor reported concerns to resolution. The Compliance Officer will attempt to respond to reported concerns as expeditiously as possible. All known reporting persons are advised they may call back later to receive an update on their reports.

In making a report of suspected/potential fraud, sufficient detail is needed as to the specific events that are believed to be fraudulent. Specifically, a description of the services that were or were not received that are believed to be fraudulent. The following information is helpful for beginning the investigation: Agency name, dates of services, type of service and any other specific details that can be provided, such as, the individual providing the service, etc.

It is best for this detailed information to be provided in writing, either by letter or E-mail, to the North Sound BH-ASO Compliance Officer as listed above.

Any information provided, including the identity of the person making the report, will be kept in confidence between the Compliance Officer, North Sound BH-ASO attorneys and senior management to an extent legal and feasible. However, should government authorities become involved, in the case of a lawsuit, or if the need otherwise arises for North Sound BH-ASO to disclose the information as required by law, such information may be disclosed.

There is a zero-tolerance policy against any retaliation for reporting potential compliance violations or requesting assistance from the Compliance Officer, even if the individual reporting mistakenly reports what they reasonably believe to be an act of wrongdoing. However, knowingly fabricating, distorting, exaggerating, or minimizing a report of wrongdoing to injure someone else or protect the individual reporting may result in action against them.

Investigations, Corrective Action Plans (CAP) and Other Responses

All reports of potential violations of laws, regulations, policies, or questionable conduct from any source shall be logged and reviewed by the North Sound BH-ASO Compliance Officer. The investigation of a reported compliance issue, concerning an individual receiving services funded by North Sound BH-ASO, will begin as expeditiously as possible but no later than 2 weeks after the report was made. If after initial investigation and consultation with the North Sound BH-ASO Executive Director and/or legal counsel, the Compliance Officer determines there are genuine compliance concerns, the Compliance Officer will inform the ECC and forward reports of potential fraud, waste, and abuse to HCA and all other appropriate regulatory authorities as expeditiously as possible:

1. When an instance of non-compliance requiring remedial action has been determined and confirmed by North Sound BH-ASO, the Compliance Officer develops and recommends remedial action for an initial CAP involving members of the ECC and/or other North Sound BH-ASO Staff in development as needed for their expertise;
2. Upon consensus, the Compliance Officer will finalize the remedial action and recommendations for the CAP for review by the designated members of ECC;
3. Upon approval, the Compliance Officer and designated members of ECC will develop a strategy for implementation of the CAP, with the advice and guidance of the North Sound BH-ASO Executive Director and legal counsel, as necessary;
4. The CAP will focus on implementing changes designed to ensure the specific violation is addressed and, to the extent possible, improve, prevent, or detect any additional compliance inadequacies;
5. The CAP may include one (1) or all of the following areas:
    a. Specific areas requiring compliance attention;
    b. Requirements of additional training and education;
    c. Further audit and/or investigation;
    d. Monetary recoupment;
    e. Disciplinary Action; or
    f. Monitoring the results.

If the initial investigation reveals possible criminal activity, the CAP will include:

1. Immediate cessation of the activity until the CAP is in place;
2. Initiation of appropriate disciplinary action against the person(s) involved in the activity;
3. Notification to such law enforcement and regulatory authorities as North Sound BH-ASO legal counsel advises, which, at a minimum, if it includes Medicaid Fraud, notification to the Washington Attorney General's Office MFCD and the Director of Managed Care Contracting, Division of the Department of Health Care Policy and Financing;
4. Specific requirements for additional training and education of employees to prevent future similar occurrences; and
5. Initiation of any necessary action to ensure no individuals are placed at clinical risk.

Any employee, Board Member, delegate, or contracted provider that does not, in good faith, fully implement the CAPs identified by the Compliance Officer and HCA will be subject to further penalties as detailed in the Enforcement and Disciplinary Mechanisms section of this plan.

Any threat of reprisal/retaliation against a person who makes a good faith report under the Program Integrity Plan is against North Sound BH-ASO policy. Reprisal/retaliation, if found to be substantiated, is subject to appropriate discipline, up to and including termination as outlined in the North Sound BH-ASO Personnel Manual.

North Sound BH-ASO, at the request of a reporting person, shall provide such anonymity to the reporting person as is possible under the circumstances in the judgment of the Compliance Officer, consistent with North Sound BH-ASO obligation to investigate concerns and take necessary corrective action. Anonymous reporting persons are advised that while they may remain anonymous, the content of their reports is not confidential.

If the identity of the complainant is known and a request is made, the Compliance Officer provides a written report to the reporting individual that an investigation has been completed and, if appropriate, the corrective action that has been taken.

North Sound BH-ASO will maintain detailed records of all investigations and reported compliance concerns. These records will be stored on a secure drive accessible only to the Compliance Officer, Compliance Officer Alternate, and the Compliance Officer Administrative Assistant. All records will be available to HCA or any authorized state or federal agency upon request at no cost to the requesting agency.

North Sound BH-ASO is committed to providing transparency in all program integrity activities. All state or federal agencies requesting records will be provided unencumbered access to North Sound BH-ASOs physical location as well as any electronic files. North Sound BH-ASO will assist in any record review conducted by requesting agencies.

Enforcement and Disciplinary Mechanisms

Employee Disciplinary Action

North Sound BH-ASO will initiate appropriate disciplinary action against its employees who fail to report suspected compliance issues in a timely manner and fail to comply with applicable laws, regulations and policies. The seriousness of the violation will determine the level of the discipline. Options for disciplinary measures are outlined in the Personnel Policy up to and including termination. In resolving Medicaid fraud, written notification to the Washington State Department of Health (DOH) is a step in the process in the case of any employee termination for this reason. This is a special emphasis by CMS to connect perpetrators of Medicaid fraud with a personnel action to ensure confirmed violators are prevented from becoming re-employed with an unsuspecting employer through lack of inclusion on the LEIE.

Contractor Discipline/Termination

North Sound BH-ASO contracts require providers to comply with all North Sound BH-ASO policies and procedures that impact the prevention and detection of fraud, waste, and abuse, including the North Sound BH-ASO Program Integrity Plan. The contracts clearly state breach of these provisions will be events for assignment of remedial action requiring a CAP or termination of the contract after failure to cure. In resolving Medicaid fraud, contractors will make written notification to the Washington State DOH in the case of any employee termination for this reason and provide a copy of the notification to the North Sound BH-ASO Compliance Officer as part of their CAP.

Provider Responsibilities

North Sound BH-ASO's direct contracts require providers to develop and implement administrative and management procedures that are designed to ensure regulatory compliance including:

1. The adoption of a mandatory Compliance Program, procedures and plan that includes the first seven (7) components recommended by the Federal Sentencing Guidelines;

2. Participation by the provider and any subcontractors in Medicaid fraud, waste, and abuse training conducted by the Washington State Attorney General's MFCD;
3. Reporting of fraud and/or abuse information of the provider or subcontractors to North Sound BH-ASO as soon as it is discovered or suspected, including the individual's name/identification (ID) number, if applicable, the source of the complaint, type of, nature of fraud or abuse complaint, approximate dollars involved and the legal and administrative disposition of the case;
4. North Sound BH-ASO includes the requirement to report suspected incidents of fraud, waste, and abuse into its direct contracts and requires its providers, in turn, to pass those requirements to their subcontractors;
5. North Sound BH-ASO's direct contracts require providers to comply with all North Sound BH-ASO Policies and Procedures including those that impact the prevention and detection of fraud, waste, and abuse. Likewise, providers are required to include compliance with North Sound BH-ASO Policies and Procedures as a contract term in their subcontracts;
6. North Sound BH-ASO requires providers to implement procedures to screen its employees, contractors and subcontractors prior to hiring or contracting, monthly and as directed by contract, including members of Governing Boards/Committees and members of other Boards able to influence funds. Documentation of exclusionary checks is to be maintained in individual employee, contractor and subcontractor files and is subject to periodic audit. Employees or subcontractors of providers in the North Sound BH-ASO will assign and maintain a contact on the North Sound BH-ASO's compliance/exclusions E-mail distribution list. This requirement is to ensure review of new releases, to determine whether employees and/or contractors have been listed by a state or federal agency as debarred, excluded, or otherwise ineligible for state or federal program participation as verified through:
    a. Washington State DOH new release – **http://www.doh.wa.gov/Newsroom/** (Current Year News Releases);
    b. United States Health and Human Services (HHS), OIG and LEIE website database – **http://oig.hhs.gov/exclusions/index.asp**
    c. System for Awards Management Excluded Parties Listing System (SAM EPLS) website search – **https://www.sam.gov/index.html/#1**
    d. Washington State Exclusion Report - **https://www.hca.wa.gov/billers-providers-partners/apple-health-medicaid-providers/provider-termination-and-exclusion-list**

Specifically, these required exclusionary checks are to determine whether employees and/or contractors have been:

1. Sanctioned through state actions taken to revoke and/or suspend licenses, certifications, registrations of health care providers;
2. Convicted of a criminal offense related to healthcare; or
3. Convicted of other criminal offences that exclude the individual or agency from legally participating in providing healthcare under current regulations; or
4. Listed by a federal agency as debarred, excluded, or otherwise ineligible for federal program participation as verified through the United States HHS website for LEIE (A.6.ii above) and the SAM EPLS (A.6.iii above);

5. Employees or subcontractors found to have a conviction or sanction or found to be under investigation for any criminal offense related to healthcare, are to be removed from direct responsibility for, or involvement with, North Sound BH-ASO funded services;
6. Providers will report any excluded individuals and entities discovered in the screening within 10 business days to the North Sound BH-ASO Compliance Officer;
7. Providers will provide the following as applicable to the North Sound BH-ASO Compliance Officer by secure E-mail to: **compliance_officer@nsbhaso.org** on discovery of exclusion: individual/entity name, date of birth, social security number, job position title/type of business, date of hire, date of exclusionary screening check showing the exclusion and name of database used, business address and location employee/entity is providing service;
8. North Sound BH-ASO, in turn, will report any excluded individuals and entities discovered in their screening or reported because of provider screening within 10 business days of discovery to HCA; and
9. All North Sound BH-ASO network providers will submit electronically a monthly attestation statement to attest to performing exclusionary checks of all employees, contractors and subcontractors prior to hiring or contracting, monthly and as directed by contract, including members of Governing Boards/Committees and members of other Boards able to influence funds, to the North Sound BH-ASO contract deliverables E-mail address (**deliverables@nsbhaso.org**) no later than the close of the last business day of the month for the preceding month (e.g., January LEIE and EPLS database updates used for Exclusion Attestation for February, due last business day of February). **Attachment A** is provided for this purpose and is available as a writeable form on the BH-ASO website in the Forms section at: **https://www.nsbhaso.org/for-providers/forms**.

Attachment A: Exclusion Attestation Statement

North Sound BH-ASO
2021 E. College Way, Suite 101, Mt. Vernon, WA 98273
Phone: (360) 416-7013 Fax: (360) 899-4754
www.nsbhaso.org

EXCLUSION ATTESTATION STATEMENT

Pursuant to 42 CFR 455, Contract for the Provision of Medicaid Covered Behavioral Health Services (Section F, General Terms and Conditions for Contractor), and North Sound BH-ASO Policy 2001.00, North Sound BH-ASO requires Behavioral Health Agency (BHA) network providers to implement procedures to screen its employees, contractors and subcontractors prior to hiring or contracting, monthly and as directed by contract, including members of Governing Boards/Committees, and members of other Boards in a position to influence federal funds.

BHA network providers are responsible for completing and submitting this form in its entirety no later than close of business on the last business day of each month. Completed forms may be submitted via email to: deliverables@nsbhaso.org.

Date form is being completed (Month/Day/Year):

Agency Name:

Name of Individual completing form (First/Last):

Title of Individual completing form:

Phone Number of Individual completing form:

Email of Individual completing form:

Period exclusionary checks completed for*: Select Month | Select year

*Exclusionary checks will be completed the month following the period being checked. For example, exclusionary checks for January would be performed in February using January databases and the completed form would be submitted no later than the last business day of February. This would be the February Report (*Date Form is being completed*) using the January database (*Period exclusionary checks completed for*).

☐ Yes, I hereby attest on behalf of the above-referenced Agency, that such Agency has completed exclusionary checks for the following individuals (check all that apply):

☐ New Hires ☐ Current Employees ☐ New Contracts ☐ Current Contracts

☐ All Subcontracts ☐ Governing Board Members and any Board Members who are in a position to influence federal funds

☐ Yes, I hereby attest on behalf of the above-referenced Agency, that such Agency has completed exclusionary checks against the following exclusionary databases:

- Washington State Department of Health new release (WA DOH)
  - http://www.doh.wa.gov/Newsroom/ (Current Year News Releases)
- United States Health and Human Services, Office of Inspector General, List of Excluded Individuals and Entities website database (HHS OIG LEIE)
  - http://oig.hhs.gov/exclusions/index.asp
- System for Awards Management Excluded Parties Listing System (SAM EPLS) website search
  - https://sam.gov/content/exclusions

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BHA network providers will report any excluded individuals and entities discovered in the screening within **10 business days** to the BH-ASO. BHAs will provide the name, date of birth, social security number, job position title, date of hire, date of exclusionary screening check showing exclusion and database used and location employee is providing service to the North Sound BH-ASO, Compliance Officer, by secure E-mail, Subject: (mm/dd/yyyy) Exclusion Screening Failure, to: compliance_officer@nsbhaso.org

By signing below, I attest the information in this document is true and accurate.

Signature:

- **Electronic Signature is considered valid only when document is submitted by e-mail from the signer's designated e-mail address**
- **If faxing application, signature must be handwritten**

North Sound BH-ASO Exclusion Attestation Statement Page 2 of 2

Attachment B: Compliance Training Attestation Statement

North Sound BH-ASO
2021 E. College Way, Suite 101, Mt. Vernon, WA 98273
Phone: (360) 416-7013 Fax: (360) 899-4754
www.nsbhaso.org

COMPLIANCE TRAINING ATTESTATION STATEMENT

I, the undersigned, attest that I am an authorized representative with signature authority for the individual or entity listed below and that all employees and downstream entities (sub-contractors) that provide health care or administrative services for North Sound BH-ASO members at or on behalf of my organization have completed, or will complete the following Centers for Medicare & Medicaid Services (CMS) training: *Combatting Parts C and D Fraud, Waste, and Abuse Training.*

Organization Information

Entity Name:			
Address:			
City:			
State:		Zip Code:	
Phone Number:			
NPI or TIN Number:		Medicare / Medicaid #:	

Attestation Signature

Anyone who knowingly and willfully makes or causes to be made a false statement or representation of this statement, may be prosecuted under applicable federal or state laws. In addition, knowingly and willfully failing to fully and accurately disclose the information requested may result in denial of a request to participate or where the entity already participates, a termination of its agreement or contract with North Sound BH-ASO.

By signature I certify that the information provided here, is true and correct, and I understand that CMS, HCA, or North Sound BH-ASO may request additional information to substantiate the statements made in this attestation.

Name of Individual Completing This Form:		
Title of Individual Completing This Form:		
Phone Number of Individual Completing This Form:	Email of Individual Completing This Form:	
Signature of Individual Completing This Form (electronic signatures are same as physical):		Date:

Submit Completed Forms to Compliance_Officer@nsbhaso.org