Emory Healthcare and Emory Medical Care Foundation  
Office of Compliance Programs Newsletter  
January 2012

HIPAA
Please remember that you are responsible to control and secure your laptops, handheld devices and other electronic devices that contain patient information. EHC has specific policies about encryption, security and reporting lost or stolen electronic devices.

To View EHC IS policies and procedures, go to:  
http://euhnotes.eushc.org/is/ehispoli.nsf

Clinical Trials
When a monitor visits your study site, be sure to work closely with him/her to identify deficiencies in the study. Once you are made aware of the monitor’s findings, promptly correct deficiencies and consider IRB reporting requirements for protocol deviations. The Emory IRB requires PIs to report substantive protocol deviations that adversely affected at least one of the following: 1) the rights, welfare, or safety of subjects, 2) the subject’s willingness to continue participation, or 3) the integrity of the research data.

Consider the root cause for the systematic deficiencies noted in the monitoring report and develop a corrective and preventive action (CAPA) to eliminate the deficiencies. Periodically evaluate the CAPA for effectiveness and revise as necessary. Lastly, send the monitoring report and CAPA to the Clinical Trials Audit and Compliance department at ctcompliance@emory.edu or by fax to (404) 712-8580. If you’d like help developing a CAPA, contact Stephanie deRijke at smickle@emory.edu or (404) 712-5159.

Healthcare Compliance Educational Videos from the Office of Inspector General
The Department of Health and Human Services (HHS) Office of Inspector General (OIG) released the first of 11 short video presentations on health care compliance topics. These presentations include the Federal Anti-kickback statute, the False Claims Act, the Physician Self-Referral Law, OIG guidance and resources, compliance program basics, tips for implementing an effective compliance program, the importance of documentation, OIG’s Self-Disclosure Protocol, reporting fraud to OIG, and using OIG’s exclusions database. To view these videos, go to: http://oig.hhs.gov/newsroom/video/2011/heat_modules.asp.

10 People Charged with $4 Million in Fraudulent Billing
On January 12, the United States Attorney for the District of Puerto Rico charged 10 people in a 39-count indictment for conspiracy to commit health care fraud and a forfeiture allegation of $1,956,750.54. The government seeks to forfeit two bank accounts, one investment account, and a Gallery Plaza Condominium located in the Condado area in San Juan, Puerto Rico. To read this news release, go to: http://oig.hhs.gov/fraud/enforcement/criminal/2012/pr-ea.asp

To view Emory’s False Claims policy, go to:  
http://euhnotes.eushc.org/ehc/compolic.nsf/e78c213fc993d10a852569300065467f/0fb20409fab6612985257257005cda03?OpenDocument

Relationship with Outside Vendors
Industry, vendors and others we do business with have a long history of generosity of gifts and donations to Emory. These funds are important for the support of medical education, research, and patient care. They help us achieve new discoveries for the prevention and treatment of disease and
support new and ongoing programs in the education of staff, physicians, and students – all beneficial to improve the health of the community that we serve.

A large and growing body of evidence supports that gifts from industry and those that we do business with can elicit feelings of reciprocity that unwittingly influence decision making by organizational and individual recipients. Some gifts and their acceptance, particularly when they establish individual relationships between an individual and a company, are inappropriate in an environment of unbiased education, research, and clinical care. Selection of vendors, suppliers and contractors with whom we do business will be made on the basis of objective criteria.

Please make sure you are familiar with our Vendors Relationship policy. If you have any questions, please call 404-778-2757. To view this policy, go to: http://euhnotes.eushc.org/ehc/compolic.nsf/e78c213fc993d10a852569300065467f/2ad9d9503c3e6d11852576e2066e4172?OpenDocument

**Assistant Surgery and Medicare**

Federal law prohibits Medicare payments for the services of assistants (Attending Physicians) at surgery in teaching hospitals when qualified residents are available to furnish such services. However, it is appropriate to bill for an assistant at surgery if a “qualified” resident is unavailable. The teaching physician rules state that the unavailability of “qualified residents” may be due to their involvement in other activities, complexity of the surgery, numbers of residents in the program, or other valid reasons.

Medicare requires that when a qualified resident is not available to assist in the surgery, Modifier -82 must be added to the bill indicating a qualified resident was NOT available, and the documentation must include a statement indicating no qualified resident was available.

To read Emory Standards for Documenting, Coding and Billing Professional Services, go to: http://www.ourehc.org/departments/compliance/Standards/billingstdsfeb07.pdf

To read TEC’s Billing for Co-Surgery Policy, go to: http://euhnotes.eushc.org/TEC/tecpolicy.nsf/(Table+of+Contents)/807BA8268BB17C7A85256C2B005448A6?OpenDocument


Section 100.1.7

**Contact Us**

If you have questions, comments, need an education class, or want to report a concern about a compliance issue, please call our office at 404-778-2757. If you want to make an anonymous report about your concern, please call the Emory Trust Line at 1-888-550-8850.

Tell Us. It Matters. We Care.

*Working Together for Corporate Responsibility*

Tom Koss, CPC
Director of Compliance Education & Communications
Emory Healthcare