

SARANAC CENTRAL SCHOOL DISTRICT MEDICAID COMPLIANCE PROGRAM

The School District has an obligation to exercise diligence, care, and integrity when submitting Medicaid claims for payment for services rendered. Honest, fair, and accurate billing practices shall be maintained.

Employees, non-employees and contractors involved in the provision of, or claiming federal Medicaid financial compensation or reimbursement for, school and preschool supportive health services are required to conform their conduct to the governing Federal and State statutes and regulations. Each individual will act in accordance with the Board's Medicaid Compliance Policy. Failure to do so may result in adverse consequences to them.

All employees and service providers are required to report suspected fraud or abuse or other non-compliance problems. Failure to report suspected problems, assisting or participating in fraud, abuse or other non-compliant behavior, or encouraging, directing, permitting or facilitating such activities whether actively or passively will result in disciplinary action.

Suspected fraud, abuse or other non-compliance problems must be reported to the Medicaid Compliance Officer. Reports may be made anonymously and employees, contractors, and agents of the school district will not be penalized for reports made in good faith. Reports made by employees, contractors and/or agents to the Medicaid Compliance Officer shall remain confidential to the maximum extent permitted by law. Employees are encouraged to report all suspected fraud and other improprieties without fear of retaliation.

Monies obtained from any Federal or State funded healthcare programs that clearly represent overpayments are monies which must be returned promptly.

SCHOOL DISTRICT COMPLIANCE OFFICER

The Board of Education appoints the Saranac Elementary Building Principal to serve as the School District's Medicaid Compliance Officer.

The duties of the Compliance Officer shall include, but are not limited to:

- a. oversee and monitor compliance activities of the school supportive health services program (SSHSPs);
- b. report annually, unless otherwise needed, to the Superintendent and the Board of Education;
- c. establish procedures to improve efficiency and to reduce vulnerability to fraud, abuse and waste;
- d. recommend modifications to the plan on an as needed basis to the Board of Education;

- e. develop and provide compliance training to the Board of Education, as well as to all School District employees, contractors and agents to provide or oversee the provision of SSHSPs to students;
- f. coordinate internal and external auditing of all compliance requirements on a periodic basis;
- g. develop a method by which he/she may receive anonymous and confidential reports of suspected violations;
- h. develop and publish notices that encourage the reporting of all suspected fraud and other improprieties without fear of retaliation;
- i. investigate any report or allegation concerning possible unethical or improper business practices and monitoring subsequent action and compliance (as stated in the Board's policy);
- j. monitor any and all fraud alerts issued by the Office of the Medicaid Inspector General;
- k. in December of every school year, certify on the Medicaid Inspector General's website that an effective Compliance Program meeting the requirements of the regulations is in place.

CODE OF CONDUCT

Medicaid claims must be submitted only for necessary services provided, as supported by appropriate documentation. Billings should not be duplicated to create overpayment. Proper and timely documentation of services provided must be maintained. Claims will be considered only when such documentation is maintained and available for review.

No employee, contractor or agent of the School District is permitted to give cash, gifts, favors, payment, services, entertainment, tips, or any other items of value to anyone in exchange for their signing a contract or reporting service to be billed to Medicaid or any other government or private health care program.

When a provider submits such certification, the provider is certifying that there is supporting documentation to support the claim and that: (1) all services reported were personally provided or personally supervised; (2) such services were necessary and appropriate; and (3) the rendering of such services, the coding or charging for these services, and the documentation of such services have all been performed in accordance with Federal and State laws and regulations and School District guidelines.

Speech services may not be billed unless those services are provided by a licensed speech language pathologist or provided under the direct supervision of a qualified speech pathologist. Any individuals working under the direction of a qualified speech pathologist must be given contact information to enable them to directly contact the supervising speech pathologist as needed during treatment.

Transportation may not be billed unless the provider can clearly document the child's attendance on the vehicle for eligible services on the specific day being billed.

Counseling services may not be billed unless provided by a professional whose credentials allow that same service outside of school.

The School District will attempt to ensure that all claims for services are accurate, properly documented, and correctly identify the services performed or provided.

Failure to report known or suspected violations, failure to detect violations due to negligence or reckless conduct, or intentionally, maliciously, or making false reports in bad faith shall be grounds for disciplinary action of employees. This may include termination. This will be in accordance with applicable laws, regulations, and bargaining agreements.

Every employee, contractor or agent of the school district providing Medicaid eligible services, supplies and equipment as part of SSHSPs shall certify in writing that he/she received and reviewed this document and the Board's Medicaid Compliance Policy, Regulation and Code of Conduct.

STATE COMPLIANCE OFFICER

1. Any employee who believes that any practice or billing procedure related to Medicaid reimbursement of school or preschool supportive health services is inappropriate, may send information concerning such practice or billing procedure in writing to the State Compliance Officer by U.S. mail, courier service, e-mail or facsimile transmission. The address, phone number, and fax number of the State Compliance Officer are: State Compliance Officer, New York State Department of Health Office of General Counsel, 90 Church Street, 4th Floor, New York, New York, 10007; Phone: 212-417-4393; Fax: 212-417-4392; email: ref01@health.state.ny.us. Disclosure may be made anonymously. Any verbal communication of any such allegation will not be sufficient to require any further action to be initiated under the Confidential Disclosure Policy procedures set forth below.

2. The relevant State agencies and the School District shall undertake a review of the practice described in the disclosure without attempting to uncover the identity of the complaining employee and shall determine: (a) whether the allegations are credible, (b) whether any Federal or State statute, regulation or policy pertaining to any practice or billing procedure related to Medicaid reimbursement of school or preschool supportive health

services has been violated, and (c) whether any such violation is systemic or was limited to one or a small number of cases.

3. The relevant State agencies and the School District shall address any violation found during the review, whether systemic or limited, in a manner designed to avoid a similar violation in the future and to remedy the effect of the violation in the cases in which it was found to have occurred. If the review determines the violation was systemic, the relevant State agencies and the School District shall take all steps necessary to identify the cases in which the violation occurred and then to remedy the effect of the violation in those cases.

4. Within 90 days of receiving notice from the State Compliance Officer of the information provided by an employee, the relevant State agencies and the School District shall: (a) complete the review of such allegations and any remedial plan required as a result of such review and (b) provide to the State Compliance Officer a written description of the review, the remedial plan and all actions taken pursuant to such plan. In the event the relevant State agencies and the School District determine the allegations are not credible, the written response shall describe the bases for such determination. The written document shall identify the individual(s) at the relevant State agencies and the School District who were responsible for approving the review, the remedial plan and all action taken pursuant to such plan, including the name, job title, telephone number, mailing address, e-mail address and fax number of the person(s) who took such action.

5. If the State Compliance Officer is not satisfied with the review, the remedial plan, or the actions taken pursuant to such plan, the State Compliance Officer may discuss the matter with the relevant State agencies and the School District to resolve these concerns. In addition, the State Compliance Officer may request that the Audit Unit of Department of Health's Division of Administration undertake an audit to determine: (a) whether a violation occurred; (b) whether any such violation has been remedied; and (c) whether the remedial action is sufficient to prevent similar violations in the future.

6. In the event the employee's identity becomes known to a State agency or the School District, or to an employee of such agency or School District, no adverse employment action of any type shall be taken against such employee because information was provided to the State Compliance Officer or to a person conducting a review of the disclosure.

7. The relevant State agencies and the School District shall include in every training any of them provides (a) a description of the Confidential Disclosure Policy procedures described above; (b) the name, mailing address, e-mail address and fax number of the State Compliance Officer and School District Compliance Officer; and (c) an assurance that no adverse employment action of any type will be taken against an employee because information was provided to the State Compliance Officer and School

District or to a person conducting a review concerning alleged inappropriate practices or billing procedures related to Medicaid reimbursement of school or preschool supportive health services.

COMMUNICATION - ACCESS TO COMPLIANCE OFFICER

An open line of communication with the Compliance Officer is critical to the successful implementation and operation of the Compliance Program. Accordingly, there is an open-door, confidential, complete anonymity, non-retribution assurance to all employees, service providers administrators, and Board of Education members to encourage good faith reporting of potential compliance issues.

Reports that suggest violations of the Compliance Program will be maintained by the Compliance Officer in a log and will be investigated promptly by the Compliance Officer to determine their validity. The Compliance Officer will report the findings to the Superintendent and Board of Education for further investigation and corrective action regarding each compliance issue.

Identifying and reporting compliance issues may also be made directly to the New York State Department of Health or the Office of the Medicaid Inspector General.

The School District will not penalize, discriminate, or retaliate against anyone who in good faith discloses a practice that violates any law, regulation, or guideline, initiates, cooperates or participates in an investigation, or objects to or refuses to participate in any activity, policy or practice that violates any law, regulation, or guideline.

INVESTIGATING, REPORTING AND CORRECTING IDENTIFIED PROBLEMS

Any and all reports of violations of the School District's Compliance Program regarding Medicaid claims and services will be investigated. The Compliance Officer or designee will conduct an investigation into the allegations to determine the nature, scope and duration of the alleged violation. The investigation will be done promptly and will be conducted under advice of legal counsel as deemed necessary. If a violation has occurred, steps will be taken promptly and thoroughly to remedy the violation. The investigation may include interviews, review of relevant documents, and any other information deemed necessary to conduct a thorough investigation. Outside auditors or legal counsel may be retained to assist when deemed necessary. If at the completion of the investigation disciplinary action is required, discipline will be imposed in accordance with applicable law, regulation, and collective bargaining agreement. Law enforcement will also be informed if the conduct may have violated criminal law.

The Compliance Officer will direct that appropriate corrective action be taken to prevent similar violations of the Compliance Program from recurring. Any issue for which corrective action was directed to be taken shall be specifically targeted for monitoring and review in future audits.

DISCIPLINARY ACTION

Where an alleged violation is confirmed by the Compliance Officer, he/she shall refer the matter to the Superintendent of Schools for possible discipline, subject to any applicable contractual or statutory disciplinary procedures, where the violation is committed by an employee; or contract nullification, where the violation is committed by a contractor or agent of the School District.

Failure to comply with the Compliance Program may result in disciplinary action. Discipline may include:

- discipline of individuals who intentionally make false statements.
- discipline of individuals involved in non-compliant conduct;
- discipline of individuals involved in encouraging, directing, facilitating, or permitting either actively or passively non-compliant behaviors;
- discipline of supervisors if the misconduct reflected poor supervision or lack of diligence;
- discipline of individuals who intentionally make false statements.

Discipline may include termination of employment.

AUDITING AND MONITORING

The Compliance Program requires a thorough monitoring of its implementation. Annual audits will be performed. Audits will ensure compliance with the Compliance Program and all applicable Federal and State laws and regulations and School District guidelines. Zero tolerance of fraud and abuse is the main goal of the Compliance Program.

EDUCATION AND TRAINING

The School District's Compliance Program requires compliance and ethics training for all employees and service providers associated with Medicaid services and claims. This training will emphasize the School District's commitment to compliance with all Federal and State laws, regulations, and guidelines. This training will be conducted on an annual basis, at no less than one hour, to ensure all such employees and service providers fully comprehend the implications of failing to comply with the School District's Compliance Program. Contractors and/or agents of the School District providing Medicaid eligible services, shall supply the District annually with written documentation of training received in Medicaid billing and reporting requirements.

Mandatory training will include compliance, prevention of fraud and abuse, whistleblower protections, ethical standards, confidentiality, and conflicts of interest. All affected employees and service providers must attend an initial training session following hire and participate in ongoing, routine training sessions thereafter as required. As new developments or concerns arise, the Compliance Officer may require additional training sessions.

All compliance training must be documented. The Compliance Officer will maintain all such documentation signed by those attending any training session. All affected employees and service providers must sign an acknowledgement form at initial training, and thereafter when any updates of those documents are received.

Education and training will cover the School District's Compliance Program, and will reinforce the requirement that strict compliance with the Compliance Program is a condition of employment. Employees will be informed that failure to comply with the Compliance Program may result in disciplinary action up to and including termination.

In addition to compliance and ethics training, the need for periodic continuing education, which may be required by law or regulations, will be provided for affected personnel. The School District will take steps to communicate standards and procedures set by Board policy to all school district employees, Board members, contractors and agents by disseminating information which explains in a practical manner conduct required. The policy will be provided to new employees and posted on the District's website.

SARANAC CENTRAL SCHOOL DISTRICT

PO Box 8

Saranac, New York 12981

(518) 565-5840

Medicaid Complaint

Your Information:

Name: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Email: _____ Telephone: (____) _____

Describe your complaint below (who, what, when):
