



Greater Buffalo United Accountable Care Organization ("GBUACO") Compliance Policies

Greater Buffalo United Accountable Care Organization ("GBUACO")
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Policy Number: 001

Policy Name: Compliance Plan

I. Purpose

To provide a process for updating and distributing to employees, directors, and contractors all of the required components of the GBUACO Compliance Plan including but not limited to:

- Overall Compliance Plan
- Code of Conduct
- Federal and State Statutes
- Fraud, Waste and Abuse
- Procedures for Reporting Noncompliance
- Whistleblower Protection
- HIPAA
- Disciplinary Guidelines
- Required Training

II. Policy

It is the responsibility of the Compliance Officer and Compliance Committee:

- To ensure that all employees are properly trained on required compliance issues upon employment and thereafter on an annual basis.
- To maintain current educational programs based on applicable laws and regulations
- To ensure compliance documents are reviewed, updated and revised in accordance with new or revised CMS policy, but no less than annually
- To ensure compliance documents are made available via the Compliance intranet site to each GBUACO employee at the time of hire and every Board member at the time of appointment
- To ensure compliance documents are made available to contractors at the time of contract signature, as well as annually following the update and revision process via the GBUACO internet site

III. Procedure

- All Compliance documents are annually reviewed and updated as necessary to ensure compliance with current laws and regulations
- All compliance documents are to be approved by the compliance committee before being presented to the GBUACO Board of Directors
- On an annual basis the compliance committee will distributed to all employees and contractors the following policies/ documents:
 - Compliance Program
 - Code of Conduct
 - Reporting of Compliance Issues
 - Prohibiting Retaliation
 - Training Requirements

- The GBUACO Compliance Officer informs the employee that, as the investigation progresses, if CMS, the OIG or other government authorities become involved, they may ask to speak with him/her and his/her identity may become known as part of the investigation.

Non-retaliation

- Neither the GBUACO Compliance Officer, nor any other GBUACO employee involved in the receipt, investigation, and/or follow up of a compliance concern, will intimidate, threaten, coerce, discriminate against, or take any other retaliatory action against any GBUACO employee or director who reports a compliance concern.
- The GBUACO Compliance Office informs any employee who reports potential or suspected compliance concerns that he/she should report any retaliation to the GBUACO Compliance Officer immediately if he/she becomes aware of any such action.
- Any GBUACO employee who retaliates against another GBUACO employee who reports a compliance concerns or who refuses to participate in a violation of law, regulations, or policy, is subject to GBUACO disciplinary policy, up to and including termination.

Reporting Process—Contractors (First-Tier, Downstream, and Related Entities)

- GBUACO educates contractors of the requirement to report any cases of potential or suspected non-compliance to GBUACO.
- GBUACO Compliance training is provided annually to contractor staff. The GBUACO Compliance training includes a section on reporting potential or suspected instances of non-compliance.
- If the contractor wishes to use its own internal Compliance training, it must be submitted to the GBUACO Compliance Department for approval prior to use.
- If the contractor’s internal training does not indicate the requirement to report instances of potential or suspected non-compliance to GBUACO, the GBUACO Compliance Department provides supplemental training materials about this requirement to be used in conjunction with the contractor’s internal training materials.
- GBUACO contractors are required to report any potential issues of GBUACO non-compliance or fraud, waste or abuse to the GBUACO Compliance Officer, within ten (10) days of discovery of the potential compliance issue.
- In the event that the compliance issue has the potential for harm to patients, the issue must be reported within one (1) working day of discovery.
- GBUACO contractors may report issues of potential noncompliance through any of the following channels, though it is recommended to report compliance issues to the GBUACO Compliance Officer or through the Compliance Hotline:
 - Their immediate supervisor or manager
 - The Human Resources Department
 - The GBUACO Compliance Officer (via telephone, email, or in person)
 - The GBUACO Compliance Hotline: email: compliance@gbuaco.org

authority to receive information about the patient. If no such documentation, you may ask for the patient to call back to provide verbal permission to speak with the family member or ask for a copy of the document establishing the authority.

If the requestor is a non-GBUACO provider or other covered entity:

Their name, phone number and organization's name plus the ability to provide specific identifying information regarding the patient, and the purpose for the request, such as for treatment or payment is required. When in doubt call the number back or ask them to fax a written request on company letterhead.

If the disclosure is to a person acting on behalf of a law enforcement or public official:

A written statement on appropriate government letterhead that the person is acting under the government's authority or other evidence or documentation of agency is required. GBUACO will abide by all law enforcement / public health requests within the context of HIPAA.

Policy Number: 012

Policy Name: Beneficiary Notification

I. Purpose

To provide a detailed process by which Medicare beneficiaries who are attributed to GBUACO participating physicians are informed of ACO participation and of their rights to decline sharing of their medical claims and/or behavioral health claims data.

II. Policy

Using only approved correspondence and only specifically defined terminology in accordance with CMS rules and regulations:

- Beneficiaries are notified by mail of their physicians participation in GBUACO
- Beneficiaries are provided the required forms allowing them to decline to have their personal health information shared
- Beneficiaries are notified of their physicians participation in the ACO at the point of care
 - Required to be done for the first encounter
 - Does not need to be repeated at every visit
 - There is no expiration date when the first visit is to occur

III. Definitions

participating physicians must do all of the following:

- Notify beneficiaries at the point of care that they are participating in the Shared Savings Program.
 - Approved "Notice to Patients Template" is to be used at each office

- Post signs in their facilities to notify beneficiaries that they are participating in the Shared Savings Program
- Make available standardized written notices regarding participation in an ACO and, if applicable, data opt-out. Such written notices must be provided by GBUACO participants in settings in which beneficiaries receive primary care services

GBUACO has adopted the following initial notification option:

ACOs have the option of notifying beneficiaries on the preliminary prospective assignment list and quarterly assignment list provided to the ACO under §425.704(d)

- *ACOs choosing this option must use the standardized written notice developed by CMS*
- *The beneficiary notifications under this section meet the definition of marketing materials and activities under §425.20 and there must meet all applicable marketing requirements described in §425.310.*