

CORPORATE COMPLIANCE MATTERS

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*** CONNECT & COMPLY WITH COMPLIANCE 24/7 HOTLINE: 844/371/4700 ***

Q & A's:

1] Q. You inadvertently forwarded an email that was part of a thread, containing PHI, to an outside vendor. Since it was part of an email thread, do you still need to recall and have it deleted?

A: Yes, it must be recalled immediately and it be deleted by the outside vendor and confirmed.

2] Q. The holidays are upon us. If any Member, Patient, Clients or Provider offers us a gift, is there any exception to the rule of not taking the gift?

A: No exceptions. Just say to the person we cannot accept gifts. Period. Request that they do a written testimonial by completing the *Share Your Experience* form!

3] Q. How do you destroy PHI?

A: By shredding it in the designated shred bins throughout the offices!

CORPORATE COMPLIANCE ANNUAL TRAINING UPDATE:

REMINDER! Be sure to complete your 3 training requirements by 11/30/2021 if you have not yet done so. [1] Attend a live training session or review ZOOM link recording. [2] Confirm and attest Compliance training documents at <http://evercare.training.reliaslearning.com> [3] Return completed paperwork via mail or in person to the Compliance department. All 3 pieces must be completed by the deadline to meet your employment obligations.

CHARITY CARE PROGRAM AT ITS BEST: Did you know that EverCare At Home has a Charity Care Program? Don't let the fact that this program is run by our CHHA fool you – it is open to any Members, Patients or Client that meet the qualifications. The Program's goal is to provide CHHA services to those whose household income is: **1]** less than 200% of the federal poverty level; **2]** not eligible for covered benefits under Title XVII or XIX of the Social Security Act; **3]** Patients unable to pay full charges; **4]** Patients are not covered by private insurance. CHHA services are provided in Dutchess, Orange and Rockland Counties. Do you know someone that may be in need of these services? You can give a referral to CHHA, by calling either Lead Intake Coordinators, Stephanie Ramon or LaToya Baker-Evans at 1-855-485-6697 or talk with Sioban Wynne or Jeff Goldman.

POP QUIZ | PROTECTED HEALTH INFORMATION – DO YOU REMEMBER ALL 18 INDICATORS?

Our Members, Patients and Clients are entitled to expect confidentiality and protections of their privacy and PHI under the Health Insurance Portability and Accountability Act [HIPAA]. **What are the established standards for the protection of certain individual health information or PHI?** The answer is that there are eighteen [18] of these identifiers that represent a Member, Patient or Client as follows: [1] Person's name and postal address [2] All elements of dates except year [3] Telephone number and Fax number [4] Email address, URL and IP address [5] Social Security number [6] Medical Record number and Health Plan Beneficiary number [7] Account numbers and Certificate/license numbers [8] Vehicle identifiers including serial number and license plate number [10] Biometric identifiers including finger and voice print [11] Full face photographic image and any comparable image [12] Any other unique identifying number, characteristic or code. **If any of these indicators are in your email, remember to "SECURE" it, by typing SECURE in the subject line!**

Contributed by: Marcy Reposa, CCO | VP Operations

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TODAY'S TOP ACRONYMS:

ADL: Activities of Daily Living
APS: Adult Protective Services
CHHA: Certified Home Health Agency
CHAP: Community Health Accreditation Partner
CMS: Centers for Medicare & Medicaid Services
DME: Durable Medical Equipment
EMR: Electronic Medical Record
FCA: False Claims Act
FIDA: Fully Integrated Duals Advantage
HCP: Health Care Proxy
HEDIS: Health Effectiveness Data and Information Data Set
HHA: Home Health Aide
IBNR: Incurred But Not Received
LHCSA: Licensed Home Care Services Agency
MLR: Medical Loss Ratio
MLTC: Managed Long Term Care
MSW: Masters in Social Work
OT: Occupational Therapy/Therapist
PCA: Personal Care Assistant
PCP: Primary Care Physician
PCSP: Personal Centered Service Plan
PHI: Protected Health Information
PHL: Public Health Law
PI: Performance Improvement
PT: Physical Therapy
QAPI: Quality Assessment & Performance Improvement
ROC: Resumption of Care
SNF: Skilled Nursing Facility
UM: Utilization Management
YTD: Year-to-Date

WHAT IS THE DIFFERENCE BETWEEN PRIVACY AND CONFIDENTIALITY?

Privacy relates to specific personal identifiable healthcare information such as one's medical history, name, address, etc. Confidentiality is much more broader and includes not just clinical but EverCare financial business data, future plans, etc.

EMAILS FROM A TRUSTED SOURCE? Often emails may **appear to be generated by a trusted or known source**. If you receive an external email and it **appears to be not relevant or unrelated to your work**, has typos and has an unfamiliar link, what do you do? The answer is: **DO NOT OPEN it or any link or any attachments or respond to it!** You can right click on the email you had received to see the actual address it can from. This action will reveal where the email was sent from – may not be what it should appear to be! If so, report immediately to your Supervisor or RSM or Compliance.

The key is **to make sure you recognize the sender and know it is safe**. Do not be tricked by clicking on a false link or attachment! Be extra vigilant! Report any abnormalities. **Reminder:** It is not a matter *if you get phished*. It is a matter of *WHEN* you will get phished. Be prepared!

WHAT IS MEDICALLY NECESSARY? Medicare.gov defines “medically necessary” as “health-care services or supplies need to prevent, diagnose, or treat an illness injury, condition, disease, or its symptoms and that meet accepted standards of medicine.”

HOW ABOUT MINIMUM NECESSARY? This is a key protection of HIPAA Privacy Rule. It require healthcare entities, such as EverCare, to take reasonable steps to limit the use or disclosure of, and the request[s] of PHI, to the minimum amount necessary to accomplish the intended purpose. Only provide what is requested.

QUICK QUIZ: In the Finance department, an employee did not get a either a Member, Patient or Client's consent before disclosing PHI for payment purposes. Has this person violated HIPAA? Answer is NO. Why? No authorization is needed to disclose PHI since it is a permitted use under HIPAA for payment operation purposes.

WHAT CONSTITUTES A CONFLICT OF INTEREST: A Conflict of Interest includes working with an entity that competes, contracts with or is a supplier of EverCare. There is a financial or ownership interest in a firm that does business with EverCare; you have a supervisory or reporting relationship to family of those whom you are personally involved; promoting any other business during EverCare hours to any person or place; using EverCare resources for any entity in competition with EverCare.

EMAILS & TEXTS are only allowed on EverCare equipment and work phones, as these are secured. You may NEVER USE ANY UNAUTHORIZED equipment including personal phones. Employees or vendors are NOT AUTHORIZED under any circumstance to send company related email or text to anyone's personal phone ESPECIALLY IF IT CONTAINS PHI.

Notary Services are available at the Compliance Office, by appointment only, at no cost.